

- (3) Whether the granting of a stay would harm other participants; and
 (4) Where the public interest lies.

§ 2.1328 Default.

When a participant fails to act within a specified time, the Presiding Officer may consider that participant in default, issue an appropriate ruling and proceed without further notice to the defaulting participant.

§ 2.1329 Waiver of a rule or regulation.

(a) A participant may petition that a Commission rule or regulation be waived with respect to the license transfer application under consideration.

(b) The sole ground for a waiver shall be that, because of special circumstances concerning the subject of the hearing, application of a rule or regulation would not serve the purposes for which it was adopted.

(c) Waiver petitions shall specify why application of the rule or regulation would not serve the purposes for which it was adopted and shall be supported by affidavits to the extent applicable.

(d) Other participants may, within 10 days, file a response to a waiver petition.

(e) When the Commission does not preside, the Presiding Officer will certify the waiver petition to the Commission, which, in response, will grant or deny the waiver or direct any further proceedings.

§ 2.1330 Reporter and transcript for an oral hearing.

(a) A reporter designated by the Commission will record an oral hearing and prepare the official hearing transcript.

(b) Except for any portions that must be protected from disclosure in accordance with law and policy as reflected in 10 CFR 2.790, transcripts will be placed in the Public Document Room, and copies may be purchased from the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

(c) Corrections of the official transcript may be made only as specified by the Secretary.

§ 2.1331 Commission action.

(a) Upon completion of a hearing, the Commission will issue a written opinion including its decision on the license transfer application and the reasons for the decision.

(b) The decision on issues designated for hearing pursuant to § 2.1308 will be based on the record developed at hearing.

PART 51—ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING AND RELATED REGULATORY FUNCTIONS

7. The authority citation for Part 51 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2201, 2297f); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842).

Subpart A also issued under National Environmental Policy Act of 1969, secs. 102, 104, 105, 83 Stat. 853–854, as amended (42 U.S.C. 4332, 4334, 4335); and Pub. L. 95–604, Title II, 92 Stat. 3033–3041; and sec. 193, Pub. L. 101–575, 104 Stat. 2835 (42 U.S.C. 2243). Section 51.20, 51.30, 51.60, 51.80, and 51.97 also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241, and sec. 148, Pub. L. 100–203, 101 Stat. 1330–223 (42 U.S.C. 10155, 10161, 10168). Section 51.22 also issued under sec. 274, 73 Stat. 688, as amended by 92 Stat. 3036–3038 (42 U.S.C. 10141). Section 51.43, 51.67, and 51.109 also under Nuclear Waste Policy Act of 1982, sec 114(f), 96 Stat. 2216, as amended (42 U.S.C. 10134).

8. In § 51.22, a new paragraph (c)(21) is added to read as follows:

§ 51.22 Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review.

* * * * *

(c) * * *

(21) Approvals of direct or indirect transfers of any license issued by NRC and any associated amendments of license required to reflect the approval of a direct or indirect transfer of an NRC license.

* * * * *

Dated at Rockville, Maryland, this 27th day of November 1998.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 98–32211 Filed 12–2–98; 8:45 am]

BILLING CODE 7590–01–P

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

[Docket No. 98–ANE–23–AD; Amendment 39–10915; AD 98–24–28]

RIN 2120–AA64

Airworthiness Directives; Allison Engine Company 250–B and 250–C Series Turboshift and Turboprop Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Allison Engine Company 250–B and 250–C series turboshift and turboprop engines, that requires replacing existing beryllium copper main fuel control (MFC) bellows assemblies with Inconel 718 stainless steel welded MFC bellows assemblies. This amendment is prompted by reports of leaking MFC bellows assemblies resulting in an uncommanded minimum fuel flow condition, loss of engine fuel flow control and subsequent forced landing. The actions specified by this AD are intended to prevent MFC bellows assembly leakage, which can result in an uncommanded minimum fuel flow condition and subsequent loss of engine fuel flow control.

DATES: Effective January 7, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 7, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from Allison Engine Company, P.O. Box 420, Speed Code U–15, Indianapolis, IN 46206–0420, telephone (317) 230–6674. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: John Tallarovic, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2350 E. Devon Avenue, Room 323, Des Plaines, IL 60018; telephone (847) 294–8180, fax (847) 294–7834.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Allison Engine Company 250–B and 250–C series turboshift engines was published in the **Federal Register** on June 8, 1998 (63 FR 31138). That action proposed to require replacing the existing beryllium copper main fuel control (MFC) bellows assemblies at the next repair or overhaul of the MFC bellows assembly, or, since corrosion was a factor, by the calendar end-dates specified, whichever occurs first. Since that issuance of that proposal, the FAA has discovered that the turboprop aircraft were inadvertently omitted from the

applicability section, which has been corrected is this final rule.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. This final rule references only one Allison Commercial Engine Bulletin (CEB) CEB-A-282, Revision 2, dated April 15, 1998, that also serves as the seven other CEBs listed in paragraph (b) of the proposed rule. It serves as the cover document for the AlliedSignal Aerospace Equipment Systems service bulletin GT-242, revision 2, dated April 15, 1998, the manufacturer of the MFC. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 2,500 engines installed on aircraft of U.S. registry will be affected by this AD, that it will take no additional work hours per engine to accomplish the proposed actions at regularly scheduled overhaul, and required parts would cost approximately \$1,495 per engine. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$3,737,500.

The regulations adopted herein 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, in accordance with Executive Order 12612, it is determined that this final rule does 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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:

98-24-28 Allison Engine Company:

Amendment 39-10915. Docket 98-ANE-23-AD.

Applicability: Allison Engine Company 250-B15, 250-B17, 250-B17F, series turboprop engines and 250-C18, 250-C20, 250-C20R, 250-C28, 250-C30 series turboshaft engines, installed on but not limited to AeroSpace Technologies of Australia Pty Ltd Models N22B, N22S, and N24A; Beech Aircraft Corporation Model 35; Cessna Aircraft Company Model 210; Maule Aerospace Technology Corp. Models MX-7-420 and MXT-7-420; Partenavia Construzioni Aeronauticas S.p.A. Models AP68TP 300 and AP68TP 600; Pilatus Britten-Norman Models BN-2T and BN-2T-4R; SIAI Marchetti S.r.l. Models SF600 and SF600A airplanes; AGUSTA Models A109, A109A, A109AII, A109C; Bell Helicopter Textron Models 47, 206, 206A, 206B, 206L, 206L-1, 206L-4, 230; Enstrom Helicopter Models TH-28 and 480; Eurocopter Canada Model BO 105 LS A-3; Eurocopter Deutschland Models BO-105A, BO-105C, BO-105S and BO-105LS A-1; Eurocopter France Models AS355E, AS355F, AS355F1 and AS355F2; Hiller Model FH-1100; McDonnell Douglas Helicopter Company Models 369D, 369E, 369F, 369H, 369HM, 369HS, 369HE, 369FF, 500N; Rogerson Hiller Corp. Model UH-12E; Schweizer Model 269D; and Sikorsky Model S-76A rotorcraft; and Lockheed Martin Tactical Defense System Model GZ-22 airship.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 main fuel control (MFC) bellows assembly leakage, which can result in an uncommanded minimum fuel flow condition and subsequent loss of engine fuel flow control, accomplish the following:

(a) Replace existing beryllium copper MFC bellows assemblies, part numbers (P/Ns) 2523722, 2539647, 2540539, 2540767, and 2542526, with Inconel 718 stainless steel welded MFC bellows assemblies, P/N 2543598, in accordance with Allison Commercial Engine Bulletin (CEB) CEB-A-282/AlliedSignal Aerospace Equipment Systems Service Bulletin (SB) GT-242, Revision 2, dated April 15, 1998, at the earlier of the following:

(1) The next time after the effective date of this AD the MFC is being repaired or overhauled; or

(2) The following populations of MFCs, as applicable

(i) All MFCs listed by P/Ns in Tables 1 and 2 of the CEB/SB by March 31, 1999; or

(ii) All MFCs listed by P/Ns in Table 3 of the CEB/SB by August 31, 1999.

(iii) All MFCs listed by P/Ns in Tables 4 and 5 of the CEB/SB by October 31, 1999.

Note 2: Allison CEB-A-282, Revision 2, dated April 15, 1998, also serves as CEB-A-1329 for the 250-C20 series engines, CEB-A-73-2053 for the 250-C28 series engines, CEB-A-73-3068 for the 250-C30 series engines, CEB-A-73-4029 for the 250-C20R series engines, Turboprop (TP) CEB-A-158 for the 250-B15G series engines, TP CEB-A-1286 for the 250-B17 series engines, and TP CEB-A-73-2014 for the 250-B17F series engines.

(b) Perform the replacement of MFC bellows assemblies required by paragraph (a) of this AD in accordance with the accomplishment instructions paragraph of Allison CEB-A-282/AlliedSignal Aerospace Equipment Systems Service Bulletin (SB) SB GT-242 Revision 2, dated April 15, 1998.

(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, Chicago Aircraft Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Chicago Aircraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago Aircraft Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

(e) The actions required by this AD shall be done in accordance with the following Allison Engine Company CEB/AlliedSignal Aerospace Equipment Systems SB GT-242, Revision 2, dated April 15, 1998:

Document No.	Pages	Revision	Date
CEB-A-282	1-28 ...	2	April 15, 1998
Total Pages: 28.			

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Allison Engine Company, P.O. Box 420, Speed Code U-15, Indianapolis, IN 46206-0420, telephone (317) 230-6674. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(f) This amendment becomes effective on January 7, 1999.

Issued in Burlington, Massachusetts, on November 18, 1998.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 98-31702 Filed 12-2-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-ANE-59-AD; Amendment 39-10920; AD 98-24-34]

RIN 2120-AA64

Airworthiness Directives; Hamilton Standard 54H60 Series Propellers

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Hamilton Standard 54H60 series propellers. This action requires affected propeller blades to be removed from service and shipped to designated repair facilities for inspection for insufficient cold rolling of the beveled radius of the blade flange. Affected blades are identified by serial number. This amendment is prompted by reports of propeller blades that cracked due to incomplete cold rolling in the beveled radius area of the blade flange. The actions specified in this AD are intended to prevent propeller blade cracks due to incomplete cold rolling during manufacture, which can result in

propeller blade separation and damage to the aircraft.

DATES: Effective December 18, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 18, 1998.

Comments for inclusion in the Rules Docket must be received on or before February 1, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-ANE-59-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may also be sent via the Internet using the following address: "9-ad-engineprop@faa.dot.gov". Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in this AD may be obtained from Hamilton Standard, Publications Distribution Group, One Hamilton Rd., Windsor Locks, CT 06096-1010; telephone (860) 654-6876, fax (860) 654-6906. This information may be examined at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Frank Walsh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7158, fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has received reports of 16 propeller blades with insufficient cold rolling in the beveled radius of the blade flange area. Two of these blades were found with cracks and two others experienced a blade fracture and separation.

Incomplete cold rolling in the beveled radius area of the blade flange may have occurred during manufacture of the affected Hamilton Standard Models 54H60-77, -91, -117, -123, and -125 propellers. The FAA issued airworthiness directive AD 97-13-07 (62 FR 34619, June 27, 1997) to correct the unsafe condition in the most critical population. This AD expands the population to include 13,372 additional propeller blades that require removal for inspection, and, if necessary, repair. This condition, if not corrected, could result in propeller blade cracks due to incomplete cold rolling during manufacture, which can result in

propeller blade separation and damage to the aircraft.

The FAA has reviewed and approved the technical contents of Hamilton Standard Alert Service Bulletin (ASB) No. 54H60-61-A134, Revision 1, dated June 24, 1998, and ASB No. 54H60-61-A135, dated June 24, 1998, that identify affected propeller blades by serial number (S/N), and list the designated repair facilities for shipment of blades following removal from service for inspection and repair.

Since an unsafe condition has been identified that is likely to exist or develop on other propellers of the same type design, this AD is being issued to prevent propeller blade cracking. This AD requires, for affected propeller blades identified by S/N, removal from service and shipment to designated repair facilities for inspection for incomplete cold rolling during manufacture, and, repair, if necessary. The propeller blades identified in ASB No. 54H60-61-A135, dated June 24, 1998 are to be inspected within 100 hours time in service (TIS) while the propeller blades identified in ASB No. 54H60-61-A134, Revision 1, dated June 24, 1998, are to be inspected within 4,500 hours time since overhaul or for blades that have never been overhauled, 4,500 hours time since new. In addition all propeller blades must be inspected or repaired, if necessary, prior to September 30, 2002. This calendar end-date was determined by engineering study and evaluations. The actions are required to be accomplished in accordance with the ASBs described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this 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 under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that