

Signed at Washington, DC, on April 28, 1999.

**Keith Kelly,**

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 99-11229 Filed 5-4-99; 8:45 am]

BILLING CODE 3410-05-P

## NUCLEAR REGULATORY COMMISSION

**10 CFR Parts 2, 19, 20, 21, 30, 40, 51, 60, 61, and 63**

**RIN 3150-AG04**

### Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule: Extension of comment period.

**SUMMARY:** On February 22, 1999 (64 FR 8640), the NRC published for a 75-day public comment period a proposed rule establishing licensing criteria for disposal of spent nuclear fuel and high-level radioactive wastes in a proposed geologic repository at Yucca Mountain, Nevada. The comment period for the proposed rule was to have expired on May 10, 1999. The NRC received several requests for extension of the public comment period at public meetings held on the proposed rule in Las Vegas, and Beatty, Nevada, on March 23 and March 25, respectively. The requesters cited the complex, technical nature of the proposed rule, and their need to review other documents being developed as part of the nation's high-level radioactive waste management program, as principal reasons for the extension request.

The NRC has decided to extend the public comment period for an additional 51 days. The extended comment period will now expire on June 30, 1999.

**DATES:** The public comment period has been extended and now expires June 30, 1999. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be sent by mail to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff.

Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 am and 4:15 pm on Federal workdays.

You may also provide comments via the NRC's interactive rulemaking web site through the NRC home page (<http://www.nrc.gov>). This site provides the availability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking site, contact Ms. Carol Gallagher (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

Certain documents related to this rulemaking, including comments received and the regulatory analysis, may be examined at the NRC Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC. These same documents also may be viewed and downloaded electronically via the interactive rulemaking website established by NRC for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Timothy McCartin, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6681; e-mail [tjm3@nrc.gov](mailto:tjm3@nrc.gov), or Clark Prichard, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6203; e-mail [cwp@nrc.gov](mailto:cwp@nrc.gov).

Dated at Rockville, Maryland, this 29th day of April, 1999.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 99-11243 Filed 5-4-99; 8:45 am]

BILLING CODE 7590-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-41-AD]

**RIN 2120-AA64**

### Airworthiness Directives; Boeing Model 747 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 Boeing Model 747 series airplanes. This proposal would require a one-time inspection to determine whether latch pins on the lower lobe and main deck side cargo doors are installed backward, and corrective actions, if necessary. For certain airplanes, this proposal also would require eventual modification of the latch pin fittings on certain cargo doors.

This proposal is prompted by reports that latch pins have been found installed backward on the cargo doors of several airplanes. The actions specified by the proposed AD are intended to prevent improper latching of latch pins and the mating latch cam on the cargo door, which could result in damage to the structure of the cargo door and doorway cutout and consequent opening of the cargo door during flight.

**DATES:** Comments must be received by June 21, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 99-NM-41-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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** Julie Alger, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2779; fax (425) 227-1181.

### 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 99-NM-41-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. 99-NM-41-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

#### Discussion

The FAA has received reports indicating that latch pins have been found installed backward on the forward and aft lower lobe cargo doors of Boeing Model 747 series airplanes. One operator found one latch pin installed backward, and another operator found three of eight latch pins installed backward. In the reported cases, the backward pins have all been found on the lower lobe cargo doors, though similar pins are installed on the main deck side cargo door on airplanes equipped with such a door. Investigation has revealed that latch pins that are removed during maintenance activities can be installed backward such that the pins extend from the wrong end of the latch pin fitting. Backward installation of the latch pins results in improper latching of the pins and the mating latch cam on the cargo door. Such improper latching increases load on the adjacent latch pins and fittings, latch cams, and support structure, which could lead to damage to the structure of the cargo door and doorway cutout. This condition, if not corrected, could result in the cargo door opening during flight.

#### Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 747-52A2258, dated June 1, 1995; as revised by Notices of Status Change 747-52A2258 NSC 1, dated July 20, 1995; 747-52A2258 NSC 2, dated August 31, 1995; and 747-52A2258 NSC 03, dated December 14, 1995. That alert service bulletin describes procedures for a one-time visual inspection to determine whether latch pins on the forward and aft lower lobe cargo doors and the main deck side cargo door are installed correctly, and corrective actions, if necessary. The corrective actions

include reinstalling the pin correctly, and inspecting the affected cargo door and doorway cutout to detect damage. If any latch pins are found installed backward, the alert service bulletin specifies to contact Boeing for structural inspection procedures.

The FAA also has reviewed and approved Boeing Service Bulletin 747-52-2260, Revision 1, dated March 21, 1996, which describes procedures for modification of the latch pin fittings on the forward and aft lower lobe cargo doors. The modification will prevent backward installation of the latch pins. Accomplishment of the actions specified in the alert service bulletin and 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 accomplishment of the actions specified in the alert service bulletin and service bulletin described previously, except as discussed below.

#### Differences Between Alert Service Bulletin and This Proposed AD

Operators should note that, although Boeing Alert Service Bulletin 747-52A2258 specifies that the manufacturer may be contacted for instructions for structural inspections, this AD would require such inspections to be accomplished in accordance with a method approved by the FAA.

#### Cost Impact

There are approximately 990 airplanes of the affected design in the worldwide fleet. The FAA estimates that 235 airplanes of U.S. registry would be affected by the proposed AD.

It would take approximately 2 work hours per to accomplish the proposed inspection, at the average labor rate of \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$28,200, or 120 per airplane.

It would be approximately 3 work hours per airplane to accomplish the proposed modification, at the average labor rate \$60 per work hour. Required parts would cost approximately \$2,045 per airplane. Based on their figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$522,875, or \$2,225 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:

**Boeing:** Docket 99-NM-41-AD.

**Applicability:** Model 747 series airplanes, line positions 1 through 1079 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 (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 improper latching of latch pins and the mating latch cam on the cargo door, which could result in damage to the structure of the cargo door and doorway cutout and consequent opening of the cargo door during flight, accomplish the following:

#### Inspection and Corrective Actions

(a) Within 30 days after the effective date of this AD, perform a one-time visual inspection to determine whether latch pins on the forward and aft lower lobe cargo doors and the main deck side cargo door are installed backward, in accordance with Boeing Alert Service Bulletin 747-52A2258, dated June 1, 1995; as revised by Notices of Status Change 747-52A2258 NSC 1, dated July 20, 1995; 747-52A2258 NSC 2, dated August 31, 1995; and 747-52A2258 NSC 03, dated December 14, 1995. If any latch pin is found installed incorrectly, prior to further flight, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD.

(1) Reinstall the affected latch pin correctly, in accordance with the alert service bulletin.

(2) Perform structural inspections to detect damage of the affected cargo door and doorway cutout, in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

#### Modification

(b) For airplanes having line positions 1 through 1078 inclusive: Within 2 years after the effective date of this AD, modify the latch pin fittings of the forward and aft lower lobe cargo doors, in accordance with Boeing Service Bulletin 747-52-2260, Revision 1, dated March 21, 1996.

**Note 2:** Modification of the latch pin fittings accomplished prior to the effective date of this AD in accordance with Boeing Service Bulletin 747-52-2260, dated December 14, 1995, is considered acceptable for compliance with paragraph (b) of this AD.

#### Alternative Methods of Compliance

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

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

#### Special Flight Permits

(d) Special flight permits may be issued in accordance with §§ 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 April 28, 1999.

**D.L. Rigglin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-11225 Filed 5-4-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[DEA-182P]

#### 21 CFR Part 1308

#### Schedules of Controlled Substances: Proposed Placement of Zaleplon into Schedule IV

**AGENCY:** Drug Enforcement Administration, Department of Justice.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule is issued by the Deputy Administrator of the Drug Enforcement Administration (DEA) to place the substance zaleplon, including its salts, into Schedule IV of the Controlled Substances Act (CSA). This proposed action is based on a recommendation from the Assistant Secretary for Health and Surgeon General of the Department of Health and Human Services (DHHS) and on an evaluation of the relevant data by the DEA. If finalized, this action will impose the regulatory controls and criminal sanctions of Schedule IV on those who handle zaleplon and products containing zaleplon.

**DATES:** Comments, objections and requests for a hearing must be received on or before June 4, 1999.

**ADDRESSES:** Comments, objections and requests for a hearing should be submitted in quintuplicate to the Deputy Administrator, Drug Enforcement Administration, Washington, D.C. 20537; Attention: DEA Federal Register Representative/CCR.

#### FOR FURTHER INFORMATION CONTACT:

Frank Sapienza, Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, D.C. 20537, (202) 307-7183.

**SUPPLEMENTARY INFORMATION:** Zaleplon is a central nervous system (CNS) depressant that is being considered for marketing approval by the Food and

Drug Administration (FDA), under the trade name SONATA™. Zaleplon is a sedative-hypnotic in the pyrazolopyrimidine class, chemically distinct from the benzodiazepines, which competitively binds to the gamma-aminobutyric acid, type A (GABA<sub>A</sub>, central benzodiazepine receptor. Its pharmacology, abuse and dependence liabilities are similar to those of the benzodiazepines that are currently listed in Schedule IV of the CSA. In clinical trials zaleplon was found to be approximately 100-times less potent but equivalent in its potential for abuse when compared to the prototypic benzodiazepine, triazolam; triazolam is in Schedule IV of the CSA. Zaleplon will be marketed as a prescription drug product for the short-term treatment of insomnia.

Zaleplon is N-[3-(3-cyanopyrazol [1,5-*alpyrimidin-7-yl*]-N-ethylacetamide, and has been identified by code names CL-284,846 and ZAL-846. There are no asymmetric centers in the molecule or any optical isomers. Zaleplon has a rapid onset and short duration of action, and forms no pharmacologically-active metabolite in man. Zaleplon reduces sleep latency but has a relatively insignificant effect on total sleep time. These pharmacokinetic characteristics of zaleplon should prevent any long-term carryover or hangover effects. However, zaleplon has shown a mild to moderate benzodiazepine-like withdrawal syndrome after acute and continuous dosing studies in baboons.

Zaleplon has demonstrated significant muscle relaxant, ataxic, anticonvulsant, and anxiolytic effects and cognitive impairments in preclinical screening assays. Zaleplon is reinforcing in animals as demonstrated by self-administration studies. It produces euphoria, alterations in mood, perception, memory and subjective effects in humans typical of other benzodiazepines with abuse potential in Schedule IV.

The complexity of the synthesis procedure for preparation of zaleplon precludes a likely synthesis of the drug substance outside a laboratory environment and by individuals lacking training in organic chemistry synthesis. Hallucinations, amnesia, depression and hostility were the most serious adverse events related to the use of zaleplon during the clinical trials. Zaleplon-related overdoses were also noted during the clinical trials. Zaleplon-related overdoses were also noted during the clinical development program. The FDA has concluded that zaleplon's abuse potential appears to be lower than that of Schedule II depressants and similar