Proposed Rules

Federal Register
Vol. 63, No. 146
Thursday, July 30, 1998

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 50

RIN 3150–AF98

Reporting Requirements for Nuclear Power Reactors; Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of public meeting.

SUMMARY: The Nuclear Regulatory Commission (NRC) is announcing a public meeting on August 21, 1998 to discuss a contemplated rulemaking that would modify power reactor reporting requirements.

DATE: Friday, August 21, 1998.

ADDRESS: The public meeting will be held in the auditorium of NRC's headquarters at Two White Flint North, 11545 Rockville Pike, Rockville Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Dennis P. Allison, Office for Analysis and Evaluation of Operational Data, Washington DC 20555–0001, telephone (301) 415–6835, e-mail dpa@nrc.gov or his alternate, Bennett M. Brady, telephone (301) 415–6363, e-mail bmb1@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

On July 23, 1998 (63 FR 39522) the NRC published in the **Federal Register** an advance notice of proposed rulemaking (ANPR) to announce a contemplated rulemaking that would modify reporting requirements for nuclear power reactors. Generally, the ANPR requests public comments on whether the NRC should proceed with rulemaking to modify the event reporting requirements in 10 CFR 50.72, ''Immediate notification requirements for operating nuclear power reactors,'' and 50.73, ''Licensee event report system,'' and, if so, the nature of the modifications that should be made. Several concrete proposals regarding rulemaking to modify 10 CFR 50.72 and 50.73 are also provided for comment, including the following:

(1) Objectives for the rulemaking, which are in summary,

(a) To better align the reporting requirements with the NRC's current reporting needs,

(b) To reduce the reporting burden, consistent with the NRC's reporting needs, and

(c) To clarify the reporting requirements where needed;

(2) A number of contemplated amendments, including,

(a) Amendments that would clarify the requirements for reporting of design issues and limit such reporting to design issues that exceed a specified level of significance, and

(b) Amendments that would extend the required reporting time to 8 hours for events that do not involve emergencies but do warrant prompt notification; and

(3) A contemplated schedule that would lead to publication of a final rule by about January 7, 2000.

The ANPR also requests public comments on other reactor reporting requirements, beyond 10 CFR 50.72 and 50.73, that could be simplified and/or made less burdensome and more risk-informed. For example, the time limit for reporting could be adjusted based on the safety significance of the event or issue and the need for NRC's immediate action. The burden associated with reporting events, conditions or issues with little or no safety or risk significance should be minimized.

In addition to the public meeting on the ANPR at NRC Headquarters on August 21, 1998, which is the subject of this meeting notice, the ANPR will also be discussed, along with other subjects, at a public meeting on the role of industry in nuclear regulation in Rosemont, Illinois on September 1, 1998. A notice of the public meeting in Rosemont, Illinois on September 1, 1998 was published in the **Federal Register** on June 26, 1998, (63 FR 34946). Written comments on the ANPR are due September 21, 1998.

At the public meeting on August 21, 1998, with regard to the proposed rulemaking to modify 10 CFR 50.72 and 50.73, the NRC is particularly interested in comments or statements on the following topics:

(1) Whether the objectives of the proposed rulemaking to modify 10 CFR 50.72 and 50.73 are appropriate, and if not, how they should be changed;

(2) Whether the contemplated amendments to 10 CFR 50.72 and 50.73 are appropriate and, if not, how they should be changed;

(3) How the contemplated amendments to 10 CFR 50.72 and 50.73, or suggested changes to the contemplated amendments, would affect the reporting burden; and

(4) Whether the contemplated schedule for amending 10 CFR 50.72 and 50.73 is appropriate and, if not, how it should be changed.

With regard to other reactor reporting requirements (beyond 10 CFR 50.72 and 50.73) the Commission is particularly interested in comments or statements on the following topics:

(1) Additional areas (beyond 10 CFR 50.72 and 50.73) where reporting requirements can be risk-informed and/or simplified;

(2) Amendments that should be made in those areas: and

(3) How the suggested amendments would affect the reporting burden.

Many States (Agreement States and Non-Agreement States) have agreements with power reactors to inform the States of plant issues. State reporting requirements are frequently triggered by NRC reporting requirements. Accordingly, the NRC seeks State input on issues related to amending power reactor reporting requirements.

Participation

The meeting is scheduled for 9 a.m. to 3:15 p.m. and is open to the general public. Interested individuals may address relevant remarks or comments to the NRC staff at the meeting. To facilitate the scheduling of available time for speakers and orderly conduct of the meeting, members of the public who wish to speak at the meeting should request the opportunity to speak, in advance of the meeting. To request the opportunity to speak at the public meeting, contact the cognizant NRC staff member listed in the For Further Information Contact section. Indicate as specifically as possible the topic(s) of your comment. Provide your name and a telephone number at which you can be reached, if necessary, before the meeting. Registration will be available at the meeting for a limited number of additional speakers on a first come basis.

Agenda for August 21, 1998

9:00 a.m.–9:30 a.m.—Introductory Remarks
9:30 a.m.–10:00 a.m.—Discussion of Contemplated Amendments by NRC Staff
10:00 a.m.–12:00 noon—Public Comments and Statements
12:00 noon–1:00 p.m.—Lunch Break
1:00 p.m.–3:00 p.m.—Public Comments and Statements (Continued)
3:00 p.m.–3:15 p.m. Concluding Remarks

Note that public comments and statements may be completed earlier than indicated and, if so, the meeting will be concluded earlier.

Dated at Rockville, MD, this 24th day of July, 1998.

For the Nuclear Regulatory Commission.

Charles E. Rossi,

Director, Safety Programs Division, Office for Analysis and Evaluation of Operational Data.

[FR Doc. 98–30358 Filed 7–29–98; 8:45 am]

BILLING CODE 7590–01–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–292–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes and Model MD–88 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC–9–80 series airplanes and Model MD–88 airplanes, that currently requires inspection(s) to detect fatigue cracking of the shock strut cylinder of the main landing gear (MLG), and replacement of any cracked shock strut cylinder with a serviceable part. That AD also provides for installation of brake line hydraulic restrictors on the MLG brake systems, which, if accomplished, terminates the repetitive inspections. This action would require that the subject inspection be accomplished repetitively following installation of brake line hydraulic restrictors. This proposal is prompted by an additional report of fatigue cracking and subsequent fracturing of the shock strut cylinder of the MLG. The actions specified by the proposed AD are intended to prevent collapse of the MLG due to fracturing of the shock strut cylinder.

DATES: Comments must be received by September 14, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 97-NM–292-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, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Brent Bandley, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (562) 627–5237; 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 97–NM–292–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. 97–NM–292–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On October 16, 1995, the FAA issued AD 95–22–06, amendment 39–9413 (60 FR 54417, October 24, 1995), applicable to certain McDonnell Douglas Model DC–9–80 series airplanes and Model MD–88 airplanes, to require inspection(s) to detect fatigue cracking of the shock strut cylinder of the main landing gear (MLG), and replacement of any cracked shock strut cylinder with a serviceable part. That AD also provides for installation of brake line hydraulic restrictors on the MLG brake systems, which, if accomplished, terminates the repetitive inspection requirement. That action was prompted by a report indicating that fatigue cracking and subsequent fracturing of the shock strut cylinder of the MLG occurred due to high stress loads on the cylinder as a result of braking induced vibration. The requirements of that AD are intended to prevent such fracturing, which could result in collapse of the MLG and consequent reduced controllability of the airplane during landing.

Actions Since Issuance of Previous Rule

Since the issuance of that AD, the FAA has received an additional report of fatigue cracking and subsequent fracturing of the shock strut cylinder of the MLG, which collapsed during landing roll of an affected in-service airplane. Brake line hydraulic restrictors had been previously installed on this airplane.

Explanation of Relevant Service Information

Subsequent to this incident, the manufacturer issued, and the FAA reviewed and approved, McDonnell Douglas Alert Service Bulletin MD80–32A286, Revision 03, dated May 28, 1998. The inspection procedures described in this revision are identical to those described in the original version of the alert service bulletin (which was referenced in AD 95–22–06 as the appropriate source of service information). In addition, Revision 03