NRC staff concludes that the new entity is qualified to become a licensee, an order approving the proposed transfer would be issued. Before implementation of the transfer, a conforming license amendment request would need to be submitted and, following consent under 10 CFR 50.80, the license would be amended upon implementation of the transfer to reflect the new transferee.

In addition to this preliminary criterion, the NRC staff notes that lines of authority and responsibility in the organizational chain of command are specified in plant Technical Specifications (TS) in the administrative controls section (Section 5.0 of the Standard TS) or in Updated Final Safety Analysis Reports (UFSAR). When considering the use of service company management talent, the NRC staff expects licensees to consider the licensing basis to identify what management structure, authorities, and responsibilities were previously approved. If the lines of authority or responsibilities specified in the TS are being materially changed, the change would need review and approval by NRC as a license amendment under 10 CFR 50.90 before implementation. The NRC staff expects that licensees will ensure that service company personnel meet UFSAR or TS-specified educational and experience requirements for the positions they will be taking and will seek approval for any license changes they deem necessary.

Licensees and members of the public are invited to submit comments on the proposed criterion regarding changes to nuclear plant operating entities by which the need for 10 CFR 50.80 consent can be determined. Comments on other criteria that should be considered concerning non-owner operators are also invited.

Dated at Rockville, Maryland, this 5th day of October, 1998.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 98–27200 Filed 10–8–98; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–58–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–100, –200, –300, –400, and –500 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 737–100, –200, –300, –400, and –500 series airplanes. This proposal would require repetitive inspections to detect cracking of various areas of the forward pressure bulkhead, and repair, if necessary. This proposal would also require certain preventive modifications, which, when accomplished, would terminate the repetitive inspections for most, but not all, of the affected areas. This proposal is prompted by reports indicating that numerous fatigue cracks were found on critical areas of the forward pressure bulkhead. The actions specified by the proposed AD are intended to prevent such fatigue cracking, which could result in rapid decompression of the airplane fuselage.

DATES: Comments must be received by November 23, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 98–NM–58–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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Nenita K. Odesa, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2557; 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 98–NM–58–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–58–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports indicating that operators have found numerous fatigue cracks on the body station 178 forward pressure bulkhead on certain Boeing Model 737 series airplanes. The longest fatigue crack was approximately 25 inches in length. The fatigue cracks were found at three critical structural areas of the bulkhead, namely, at the side chord areas of the bulkhead, at certain vertical chords of the bulkhead, and on the bulkhead web itself between left and right buttock lines 17.0. Such fatigue cracking, if not corrected, could result in rapid decompression of the airplane fuselage.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 737–53A1173, Revision 2, dated January 15, 1998, which describes procedures for repetitive inspections to detect cracking of the body station 178 forward pressure bulkhead; and repair, if necessary. The service bulletin lists several types of inspections to be performed on the side chord areas, vertical chords, and center web area of the bulkhead. The inspections applicable to these areas consist of detailed visual/borescope inspections, eddy current inspections, and ultrasonic inspections.

The alert service bulletin also describes procedures for certain preventive modifications, which, if accomplished, would eliminate the need for repetitive inspections of most, but not all, of the affected areas. Specifically, these modifications consist of replacing portions of the bulkhead center web area and installing certain angles and straps to strengthen the side and vertical chord areas.

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 described previously, except as discussed below.

Differences Between Proposed Rule and Alert Service Bulletin

Operators should note that, although the alert service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this proposal would require that the repair of those conditions be accomplished in accordance with a method approved by the FAA.

Operators should also note that, although the alert service bulletin recommends accomplishing the initial inspections prior to the accumulation of 20,000 total flight cycles (after the release of the alert service bulletin), followed by repetitive inspections every 6,000 flight cycles, the FAA has determined that this would not address the identified unsafe condition in a timely manner. In developing an appropriate compliance time for this AD, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the high number of airplanes that have already been found to be affected by the unsafe condition.

In light of all of these factors, the FAA finds that an earlier compliance time (i.e., a threshold for initial inspections of 15,000 total flight cycles, and a repetitive interval of 3,000 flight cycles, for airplanes that have accumulated less than 60,000 total flight cycles as of the effective date of this AD) for initiating the proposed inspections is warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety. Additionally, for airplanes that have accumulated 60,000 or more total flight cycles as of the effective date of this AD (i.e., those airplanes most susceptible to fatigue cracking) the proposed initial inspection threshold and repetitive inspection interval are 1,500 flight cycles after the effective date of this AD, and 3,000 flight cycles, respectively.

Additionally, operators should note that the alert service bulletin refers to certain preventive modifications as optional. However, this proposed AD would make these preventive modifications mandatory, and would require accomplishment prior to the accumulation of 75,000 total flight cycles or within 12,000 flight cycles after the effective date of this AD, whichever occurs later. The proposed grace period of 12,000 flight cycles was developed to correspond with a typical operator's heavy maintenance check schedule in order to minimize disruption to scheduled operations. As with the compliance times proposed for the inspections, the FAA considered not only the manufacturer's recommendation, but the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the high number of airplanes that have already been found to be affected by the unsafe condition.

These mandatory preventive modifications, when accomplished, would constitute terminating action for the repetitive inspection requirements of this proposed AD for most, but not all, of the affected areas. The one structural location for which inspections would still be required is the side chord areas at water line 207, as the manufacturer has not yet developed a preventive modification for this location.

Interim Action

This is considered to be interim action. The manufacturer has advised that it is developing a preventive modification for the side chord areas at water line 207 that will positively address the unsafe condition at this location. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

Cost Impact

There are approximately 2,802 airplanes of the affected design in the worldwide fleet. The FAA estimates that 1,130 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 380 work hours per airplane to accomplish the proposed inspections, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the inspections proposed by this AD on U.S. operators is estimated to be $25,764,000, or $22,800 per airplane, per inspection cycle.

It would take approximately 794 work hours per airplane to accomplish the preventive modifications, at an average labor rate of $60 per work hour. Required parts would cost approximately $15,000 per airplane. Based on these figures, the cost impact of the preventive modifications proposed by this AD on U.S. operators is estimated to be $70,783,200, or $62,640 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 98–NM–58–AD.

Applicability: Model 737–100, –200, –300, –400, and –500 series airplanes; as listed in Boeing Alert Service Bulletin 737–57A1173, Revision 2, dated January 15, 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 (d) 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 fatigue cracking of the forward pressure bulkhead, which could result in rapid decompression of the airplane fuselage, accomplish the following:

(a) Perform inspections of the center web, vertical chords, and side chord areas of the forward pressure bulkhead for fatigue cracking, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1173, Revision 2, dated January 15, 1998, at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable. Thereafter, repeat the inspections at intervals not to exceed 3,000 flight cycles until the preventive modifications required by paragraph (d) of this AD have been accomplished.

(1) For airplanes that have accumulated 60,000 or more total flight cycles as of the effective date of this AD: Inspect within 1,500 flight cycles after the effective date of this AD.

(2) For airplanes that have accumulated fewer than 60,000 total flight cycles as of the effective date of this AD: Inspect prior to the accumulation of 15,000 total flight cycles, or within 3,000 flight cycles after the effective date of this AD, whichever occurs later.

(b) If any crack is found during any inspection required by paragraph (a) of this AD, prior to further flight, repair the area in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1173, Revision 2, dated January 15, 1998; except, where the alert service bulletin specifies that the manufacturer may be contacted for repair instructions, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(c) Prior to the accumulation of 75,000 total flight cycles, or within 12,000 flight cycles after the effective date of this AD, whichever occurs later: Accomplish preventive modifications of the center web, vertical chords, and side chord areas of the forward pressure bulkhead, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1173, Revision 2, dated January 15, 1998. Accomplishment of these modifications constitutes terminating action for the inspections required by paragraph (a) of this AD, except for the requirement to inspect the side chord areas at water line 207 (for which no preventive modification is described in the alert service bulletin). For these side chord areas, continue inspecting in accordance with the requirements of paragraph (a) of this AD.

(d) 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(e) 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 September 25, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–27124 Filed 10–8–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–CE–60–AD]

RIN 2120–AA64

Airworthiness Directives; Raytheon Aircraft Company Models 1900, 1900C, and 1900D Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise Airworthiness Directive (AD) 97–15–13 R1, which currently requires installing lubrication fittings in the airstair door handle and latch housing mechanisms on certain Raytheon Aircraft Company (Raytheon) Models 1900, 1900C, and 1900D airplanes (commonly referred to as Beech Models 1900, 1900C, and 1900D airplanes). Since issuance of AD 97–15–13 R1, Raytheon has revised the applicable service information to correct the reference to the number of parts each owner/operator of the affected airplanes should order and to change an incorrect reference to a maintenance manual. The proposed AD would retain the actions of AD 97–15–13 R1, and would incorporate the revised service bulletin into the proposed AD. The actions specified by the proposed AD are intended to continue to prevent moisture from accumulating and freezing in the airstair door handle and latch housing, which could result in the door freezing shut and passengers not being able to evacuate the airplane in an emergency situation.

DATES: Comments must be received on or before December 19, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 96–CE–60–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 the Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201–0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Steven E. Potter, Aerospace Safety Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road,