

Proposed Rules

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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 33

RIN 3150-AF54

Specific Domestic Licenses of Broad Scope for Byproduct Material

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Advance Notice of Proposed Rulemaking; Withdrawal.

SUMMARY: The U.S. Nuclear Regulatory Commission is withdrawing an Advance Notice of Proposed Rulemaking (ANPR) that discussed possible changes to the regulations governing specific domestic licenses of broad scope for byproduct material. Additionally, NRC is announcing plans to finalize draft guidance currently contained in Draft Regulatory Guide DG-0005, "Applications for Licenses of Broad Scope, Revision 2," as a NUREG.

FOR FURTHER INFORMATION CONTACT: Torre Taylor, U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, MS T8F5, Washington, DC 20555, Telephone (301) 415-7900.

SUPPLEMENTARY INFORMATION: On November 14, 1996 (61 FR 58346), the Commission published an ANPR for 10 CFR Part 33, "Specific Domestic Licenses of Broad Scope for Byproduct Material." In the ANPR, the Commission explained that it is considering amending these regulations to clarify the regulatory and health and safety basis of current licensing practices and to provide licensees with the flexibility to make certain types of changes to their radiation safety programs.

The comment period expired February 12, 1997. The Commission received 22 comments on the ANPR. The commenters were composed of broad scope academic and medical facilities; professional associations; private citizens; an Agreement State program; a Federal government agency;

and private industry. The majority of commenters responded negatively to the ANPR. After reviewing the comments, NRC has decided to withdraw the ANPR.

NRC is announcing plans to finalize draft guidance currently contained in Draft Regulatory Guide DG-0005, "Applications for Licenses of Broad Scope, Revision 2," as a NUREG. This NUREG will update existing draft guidance and will be published for public comment. A notice of availability of the NUREG will be published in the **Federal Register**. This effort is part of an ongoing project to update and consolidate existing guidance. As part of this project, the NRC staff plans to evaluate the licensing process and license conditions for ways to provide greater flexibility for broad scope licensees to modify their program without seeking a license amendment within the constraints of the existing regulations in 10 CFR Part 33. All comments received in response to the ANPR will be considered in the development of this NUREG.

Dated at Rockville, Maryland, this 19th day of March, 1998.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 98-7808 Filed 3-24-98; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM147; Notice No. 25-98-02-SC]

Special Conditions: Boeing Model 757-300; High-Intensity Radiated Fields

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This notice proposes special conditions for the Boeing Model 757-300. This airplane will utilize new avionics/electronic systems that provide critical data to the flightcrew. The applicable regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated

fields. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Comments must be received on or before April 24, 1998.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, Attn: Rules Docket (ANM-7), Docket No. NM147, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Office of the Regional Counsel at the above address. Comments must be marked: Docket No. NM147. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: John Dimtroff, FAA, Airplane and Flight Crew Interface Branch, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98055-4056, telephone (425) 227-2117 or facsimile (425) 227-1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these proposed special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before further rulemaking action on this proposal is taken. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested parties. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM147." The

postcard will be date stamped and returned to the commenter.

Background

On February 21, 1996, the Boeing Commercial Airplane Group, P. O. Box 3707, Seattle, Washington 98124-2207, applied for an amendment to Type Certificate No. A2NM to include the new Model 757-300, a derivative of the 757-200. The 757-300 is a swept-wing, conventional-tail, twin-engine, turbofan-powered transport. Each engine will be capable of delivering 43,100 pounds of thrust. The flight controls are unchanged beyond those changes deemed necessary to accommodate the stretched configuration. The airplane has a seating capacity of up to 289, and a maximum takeoff weight of 270,000 pounds (122,470 Kg).

Type Certification Basis

Under the provisions of Title 14 CFR 21.101, Boeing must show that the Model 757-300 meets the applicable provisions of the regulations incorporated by reference in Type Certificate No. A2NM, or the applicable regulations in effect on the date of application for the change to the Model 757-300. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations incorporated by reference in Type Certificate No. A2NM include 14 CFR part 25, as amended by Amendments 25-1 through 25-45, and certain other later amended sections of part 25 that are not relevant to these proposed special conditions. Except for certain earlier amended sections of part 25 that are not relevant to these proposed special conditions, Boeing has chosen to comply with part 25 as amended by Amendments 25-1 through 25-85, the applicable regulations in effect on the date of application. In addition to the applicable airworthiness regulations and special conditions, the 757-300 must comply with the fuel vent and exhaust emission requirements of part 34, effective September 10, 1990, plus any amendments in effect at the time of certification; and the noise certification requirements of part 36, effective

December 1, 1969, as amended by Amendment 36-1 through the amendment in effect at the time of certification. The special conditions that may be developed as a result of this notice will form an additional part of the type certification basis.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25, as amended) do not contain adequate or appropriate safety standards for the 757-300 because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with § 21.101(b)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The 757-300 airplane avionics enhancement will utilize electronic systems that perform critical functions, including the following airframe Line Replaceable Units (LRU): Multi-Mode Receiver (MMR), Flight Control Computer (FCC), Yaw Damper Stabilizer Trim Module (YSM), Air Data Inertial Reference System (ADIRS), and the Allied Signal Radio Altimeter (RA). These systems may be vulnerable to high-intensity radiated fields (HIRF) external to the airplane.

Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from

ground based radio transmitters, and the growing use of sensitive electrical and electronic systems to command and control airplanes, have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by reference, special conditions are needed for the 757-300, which require that new technology electrical and electronic systems, such as the MMR, FCC, YSM, ADIRS, and RA, be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

High-Intensity Radiated Fields

With the trend toward increased power levels from ground based transmitters, plus the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1 or 2 below:

1. A minimum threat of 100 volts per meter peak electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. A threat external to the airframe of the following field strengths for the frequency ranges indicated.

Frequency	Field Strength (volts per meter)					
	US		UK/European		Consolidated	
	Peak	Avg.	Peak	Avg.	Peak	Avg.
10 kHz-100 kHz	30	30	50	50	50	50
100 kHz-500 kHz	40	30	60	60	60	60
500 kHz-2 MHz	30	30	70	70	70	70
2 MHz-30 MHz	190	190	200	200	200	200
30 MHz-70 MHz	20	20	30	30	30	30
70 MHz-100 MHz	20	20	30	30	30	30

Frequency	Field Strength (volts per meter)					
	US		UK/European		Consolidated	
	Peak	Avg.	Peak	Avg.	Peak	Avg.
100 MHz–200 MHz	30	30	150	30	150	30
200 MHz–400 MHz	30	30	70	70	70	70
400 MHz–700 MHz	80	80	700	40	700	80
700 MHz–1 GHz	690	240	1700	80	1700	240
1 GHz–2 GHz	970	70	5000	360	5000	360
2 GHz–4 GHz	1570	350	4500	360	4500	360
4 GHz–6 GHz	7200	300	5200	300	7200	300
6 GHz–8 GHz	130	80	2000	330	2000	330
8 GHz–12 GHz	2100	80	3500	270	3500	270
12 GHz–18 GHz	500	330	3500	180	3500	330
18 GHz–40 GHz	780	20	(¹)	(¹)	780	20

¹ NA.
The field strengths are expressed in terms of peak root-mean-square (rms) values.

The threat levels identified above differ from those used in previous special conditions and are the result of an FAA review of existing studies on the subject of HIRF, in light of the ongoing work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee. In general, these standards are less critical than the threat level that was previously used as the basis for earlier special conditions.

Applicability

As discussed above, these special conditions would be applicable initially to the 757–300 airplane. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well, under the provisions of § 21.101(a)(1).

Conclusion

This action affects certain design features only on the Model 757–300. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on this model.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and record keeping requirements.

The authority citation for these proposed special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Boeing 757–300 series airplanes.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of this special condition, the following definition applies:

Critical Functions. Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on March 17, 1998.

Donald L. Riggins,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98–7826 Filed 3–24–98; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–CE–100–AD]

RIN 2120–AA64

Airworthiness Directives; British Aerospace Jetstream Model 3101 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all British Aerospace (BAe) Jetstream Model 3101

airplanes equipped with a certain autopilot. The proposed action would require modifying the autopilot elevator electric system relays by installing two additional relays and associated wiring changes in the relay box located under the right hand crew seat. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for the United Kingdom. The actions specified by the proposed AD are intended to prevent failure of the autopilot elevator electric system relays for the up and down trim interlocks, which, if not corrected, could result in uncommanded trim servo operation and possible loss of control of the airplane.

DATES: Comments must be received on or before April 27, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97–CE–100–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 British Aerospace Regional Aircraft, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland; telephone (01292) 479888; facsimile (01292) 479703. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. S. M. Nagarajan, Aerospace Engineer, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the