

two mechanisms—publishing the documents in the **Federal Register** for a 90-day public comment period (63 FR 43516 and 63 FR 43580, August 13, 1998); and convening facilitated public meetings and a workshop, during the public comment period, to discuss the Commission's proposed resolution of the major issues. The workshop on NRC's medical rulemaking initiative will be held during the Organization of Agreement States' (OAS) 1998 All Agreement States Meeting, in Bedford, New Hampshire.

DATES: The workshop will be held on October 31, 1998, from 9 a.m. to 12 noon.

ADDRESSES: The Wayfarer Inn, 121 South River Road, Bedford, NH 03110, telephone 603-622-3766.

FOR FURTHER INFORMATION CONTACT: Cathy Haney, U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, telephone 301-415-6825, e-mail cxh@nrc.gov.

SUPPLEMENTARY INFORMATION: After a comprehensive review of its medical use program, the Commission directed the staff to revise 10 CFR part 35, associated guidance documents, and, if necessary, the Commission's 1979 MPS (Staff Requirements Memorandum (SRM)—COMSECY-96-057, "Materials/Medical Oversight" (DSI 7), dated March 20, 1997). The Commission's SRM specifically directed the restructuring of Part 35 into a risk-informed, more performance-based regulation. In its SRM dated June 30, 1997, "SECY-97-115, Program for Revision of 10 CFR part 35, 'Medical Uses of Byproduct Material' and Associated **Federal Register** Notice," the Commission approved the staff's proposed plan for the revision of Part 35 and the Commission's 1979 MPS. The schedule the Commission approved in SRM-SECY-97-115 provides for the rulemaking to be completed by June 1999. After Commission approval of the staff's program to revise part 35 and associated guidance documents, the staff initiated the rulemaking process, as announced in 62 FR 42219 (August 6, 1997).

The proposed rule and MPS were developed using a group approach. A Working Group and Steering Group, consisting of representatives from NRC, OAS, and the Conference of Radiation Control Program Directors, Inc., were established to develop rule text alternatives, rule language, and associated guidance documents. State participation in the process was intended to enhance development of corresponding rules in State regulations, to provide an opportunity for early State

input, and to allow State staff to assess potential impacts of NRC draft language on the regulation of non-Atomic Energy Act materials used in medical diagnosis, treatment, or research, in the States.

The proposed revision of part 35 is based on the Commission's directions in the SRMs of March 20, 1997, and June 30, 1997. The revision is intended to make part 35 a more risk-informed, performance-based regulation that will: (1) Focus the regulations on those medical procedures that pose the highest risk, from a radiation safety aspect, with a subsequent decrease in the oversight of low-risk activities; (2) focus on those requirements that are essential for patient safety; (3) initiate improvements in NRC's medical program, by implementing recommendations from internal staff audits, other rulemaking activities, and results of analyses in medical issues papers; (4) incorporate regulatory requirements for new treatment modalities; (5) reference, as appropriate, available industry guidance and standards; and (6) provide for capturing relevant safety-significant events.

The program for revising part 35, associated guidance document, and MPS has provided more opportunity for input from potentially affected parties (the medical community and the public) than is provided by the typical notice and comment rulemaking process. Based on the worthwhile public input received during the early rulemaking process, the Commission believes that it is important for interests affected by the proposed revisions not only to have an opportunity to comment on the proposed rulemaking and MPS, but also to have an opportunity to discuss the proposed revisions with one another and the Commission. Accordingly, the Commission is convening three public meetings (63 FR 39763, July 24, 1998) and a workshop, during the public comment period, where representatives of the interests that may be affected by the proposed rulemaking and MPS will have an opportunity to discuss the proposed revisions.

The workshop will be open to the public, on a space available basis. The agenda for the workshop will focus on discussion of: (1) The proposed revision of part 35 and the MPS; (2) proposed changes in licensing, inspection and enforcement philosophy; (3) implementation costs; (4) resolution of cross-cutting issues; and (5) Agreement State issues. However, the workshop will also provide enough flexibility for the public to have an opportunity to comment on related rulemaking issues.

Members of the public who are unable to attend the workshop can send

comments to Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or provide comments via NRC's interactive rulemaking website through the NRC home page (<http://www.nrc.gov>). The comment periods for the proposed rule and the MPS end on November 12 and November 13, 1998, respectively. Comments received after these dates will be considered if it is practical to do so, but the Commission is only able to ensure consideration of comments received on or before these dates.

Dated at Rockville, Maryland this 9th day of October, 1998.

For the Nuclear Regulatory Commission.

Frederick C. Combs,

Acting Director, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-66-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 adopt a new airworthiness directive (AD) that would apply to certain Raytheon Aircraft Company Models 1900, 1900C, and 1900D airplanes. The proposed AD would require inspecting the main landing gear hydraulic actuators to determine whether a certain Frisby Aerospace actuator is installed, and reworking or replacing any of these Frisby Aerospace actuators. The proposed AD is the result of reports of fatigue cracks in the end cap of main landing gear hydraulic actuators manufactured by Frisby Aerospace and installed on the affected airplanes. The actions specified by the proposed AD are intended to prevent the main landing gear from not locking down due to the hydraulic actuator cracking and separating, which could result in loss of control of the airplane during landing, taxi, or ground operations.

DATES: Comments must be received on or before December 17, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-66-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, PO Box 85, Wichita, Kansas 67201-0085; telephone: (800) 625-7043 or (316) 676-4556. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Paul C. DeVore, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone: (316) 946-4142; facsimile: (316) 946-4407.

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 should 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 that summarizes 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 No. 98-CE-66-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, Central Region, Office of the

Regional Counsel, Attention: Rules Docket No. 98-CE-66-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received reports of fatigue cracks in the end cap of main landing gear hydraulic actuators manufactured by Frisby Aerospace and installed on certain Raytheon Models 1900, 1900C, and 1900D airplanes. These actuators, part number (P/N) 114-380041-11 and P/N 114-380041-13, have a sharp internal corner in the machined-end cap. The repetitive loads that are experienced in this area cause these fatigue cracks to form inside the actuator.

These fatigue cracks, if not detected and corrected in a timely manner, could continue to grow until the actuator separated and the main landing gear would not lock down. This would result in loss of control of the airplane during landing, taxi, or ground operations.

Relevant Service Information

Raytheon has issued Mandatory Service Bulletin SB.32-3141, Issued: January, 1998, which specifies procedures for inspecting the main landing gear hydraulic actuators to determine whether any Frisby Aerospace P/N 114-380041-11 or P/N 114-380041-13 main landing gear hydraulic actuator is installed. This service bulletin also specifies removing and either replacing or reworking the above-referenced Frisby Aerospace main landing gear hydraulic actuators. The procedures for the removal and replacement are included in the applicable maintenance manual. The procedures for the rework are included in Frisby Aerospace Service Bulletin 1FA10043, dated October 1997.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent the main landing gear from not locking down due to the hydraulic actuator cracking and separating, which could result in loss of control of the airplane during landing, taxi, or ground operations.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Raytheon Models 1900, 1900C, and 1900D airplanes of the same type design, the FAA is proposing AD action. The proposed AD would require inspecting the main landing gear

hydraulic actuators to determine whether any Frisby Aerospace actuator, P/N 114-380041-11 or P/N 114-380041-13, is installed, and reworking or replacing any of these Frisby Aerospace actuators.

Accomplishment of the proposed inspection would be required in accordance with Raytheon Mandatory Service Bulletin SB.32-3141, Issued: January, 1998. Accomplishment of the proposed removal and replacement would be required in accordance with the applicable maintenance manual. Accomplishment of the proposed rework would be required in accordance with Frisby Aerospace Service Bulletin 1FA10043, dated October 1997.

Cost Impact

The FAA estimates that 378 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 1 workhour per airplane to accomplish the proposed inspection. Based on these figures, the total cost impact of the proposed inspection on U.S. operators is estimated to be \$22,680, or \$60 per airplane.

If any of the affected airplanes would have any of the affected Frisby Aerospace main landing gear hydraulic actuators installed, it would take approximately 5 workhours per actuator to accomplish the proposed replacement and an additional 4 workhours per actuator to accomplish the proposed rework. The average labor rate is approximately \$60 per hour. Parts would cost \$3,871 for each new actuator; \$2865 for each overhauled actuator; and \$1,997 for each rework/upgrade kit. Based on these figures, the cost impact on those operators choosing the proposed replacement of the main landing gear hydraulic actuators would be approximately \$8,342 per airplane that would have two new actuators installed, or \$6,330 per airplane that would have two overhauled actuators installed; and the cost impact on those operators choosing to incorporate the main landing gear hydraulic actuator rework/upgrade kit on each actuator would be approximately \$5,074 per airplane. Raytheon will give warranty credit for a replacement actuator until January 2001.

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 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) 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

Raytheon Aircraft Company (Type Certificate No. A24CE formerly held by the Beech Aircraft Corporation): Docket No. 98-CE-66-AD.

Applicability: The following airplane models and serial numbers, certificated in any category:

Model	Serial Nos.
1900	UA-2 and UA-3.
1900C	UB-1 through UB-74, and UC-1 through UC-174.

Model	Serial Nos.
1900C (C-12J)	UD-1 through UD-6.
1900D	UE-1 through UE-299.

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: Inspection required as indicated below, unless already accomplished; and replacement or rework, if required, would be prior to further flight after the inspection required in paragraph (a) of this AD, unless already accomplished:

Hours time-in-service (TIS) accumulated on the main landing gear hydraulic actuator	Inspection compliance time
Less Than 6,000 hours TIS	Upon accumulating 6,600 hours TIS on the actuator or within the next 600 hours TIS after the effective date of this AD, whichever occurs later.
6,000 hours TIS through 6,999 hours TIS	Within the next 600 hours TIS after the effective date of this AD.
7,000 hours TIS through 7,999 hours TIS	Within the next 500 hours TIS after the effective date of this AD.
8,000 hours TIS through 8,999 hours TIS	Within the next 400 hours TIS after the effective date of this AD.
9,000 hours TIS through 9,999 hours TIS	Within the next 300 hours TIS after the effective date of this AD.
10,000 Hours TIS or more	Within the next 200 Hours TIS after the effective date of this AD.

To prevent the main landing gear from not locking down due to the hydraulic actuator cracking and separating, which could result in loss of control of the airplane during landing, taxi, or ground operations, accomplish the following:

(a) Inspect the main landing gear hydraulic actuators to determine whether any Frisby Aerospace actuator, P/N 114-380041-11 or P/N 114-380041-13, is installed. Accomplish this inspection in accordance with Raytheon Mandatory Service Bulletin SB.32-3141, Issued: January, 1998.

(b) If any Frisby Aerospace actuator, P/N 114-380041-11 or P/N 114-380041-13, is installed, prior to further flight, remove it and accomplish one of the following:

(1) Replace the Frisby Aerospace actuator with one of a part number listed in the Material Information section of Raytheon Mandatory Service Bulletin SB.32-3141, Issued: January, 1998. Accomplish this replacement in accordance with the applicable maintenance manual; or

(2) Rework the Frisby Aerospace actuator by incorporating the kit referenced in the Material Information section of Raytheon Mandatory Service Bulletin SB.32-3141, Issued: January, 1998. Accomplish this rework in accordance with Frisby Aerospace

Service Bulletin 1FA10043, dated October 1997.

(c) 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.

(d) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from Wichita ACO.

(e) All persons affected by this directive may obtain copies of the documents referred to herein upon request to the Raytheon Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine this document at the FAA, Central Region, Office

of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on October 8, 1998.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 161, 250, and 284

[Docket No. RM98-10-000]

Regulation of Short-Term Natural Gas Transportation Services; Availability of Commission Staff Papers on Auctions

October 9, 1998.

AGENCY: Federal Energy Regulatory Commission, DOE.