

and other means to be used to demonstrate compliance with the requirements of 10 CFR parts 11 and 73, if applicable.

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## PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

3. The authority citation for part 70 continues to read as follows:

**Authority:** Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846).

Sections 70.1(c) and 70.20a(b) also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 70.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851). Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 70.31 also issued under sec. 57d, Pub. L. 93-377, 88 Stat. 475 (42 U.S.C. 2077). Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

4. In § 70.22, paragraph (h)(1) is revised to read as follows:

### § 70.22 Contents of applications.

\* \* \* \* \*

(h)(1) Each application for a license to possess or use at any site or contiguous sites subject to licensee control, a formula quantity of strategic special nuclear material as defined in § 70.4 other than a license for possession or use of this material in the operation of a nuclear reactor licensed pursuant to part 50 of this chapter, must include a physical security plan. The plan must describe how the applicant will meet the applicable requirements of part 73 of this chapter in the conduct of the activity to be licensed, including the identification and description of jobs as required by 10 CFR 11.11(a). The plan must list tests, inspections, audits, and other means to be used to demonstrate compliance with the requirements of 10 CFR parts 11 and 73, if applicable.

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Dated at Rockville, Maryland, this 5th day of April, 1995.

For the Nuclear Regulatory Commission.

**James M. Taylor,**

*Executive Director for Operations.*

[FR Doc. 95-9369 Filed 4-14-95; 8:45 am]

BILLING CODE 7590-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-CE-33-AD]

### Airworthiness Directives; Beech Aircraft Corporation Model 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 Beech Aircraft Corporation (Beech) Model 1900D airplanes. The proposed action would require inspecting the cabin partition to ensure that a right-hand forward partition bracket exists on certain airplanes, installing this bracket if it does not exist, and improving the right-hand forward partition installation on all affected airplanes. Deficiencies found during a structural analysis of the cabin partition prompted the proposed action. The actions specified by the proposed AD are intended to prevent cabin partition failure because of a structural deficiency, which, if not detected and corrected, could cause passenger injury if the partition could not withstand the load incurred with the baggage compartment loaded to its 250-pound limit.

**DATES:** Comments must be received on or before June 19, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-CE-33-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 Beech Aircraft Corporation, 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. Steve Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; 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. 94-CE-33-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 Assistant Chief Counsel, Attention: Rules Docket No. 94-CE-33-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

### Discussion

The FAA has received a report from the Beech Aircraft Corporation (Beech) of a structural deficiency on Model 1900D airplanes. Beech reports that certain Model 1900D airplanes may be missing a bracket on the right-hand forward cabin partition, and that, even with this bracket installed, the airplane model design may not be capable of withstanding the load incurred with the baggage compartment loaded to its 250-pound limit. This condition, if not detected and corrected, could result in passenger injury if this load is incurred with the airplane occupied.

Beech has issued Service Bulletin (SB) No. 2556, Revision 1, dated February 1995, which references Kit Drawing No. 129-5007 and Kit No. 129-5007-1 S. Kit Drawing No. 129-5007 specifies the design location of the bracket that may be missing, and Kit No. 129-5007-1 S includes parts and instructions necessary to improve the

right-hand forward partition installation.

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that (1) a structural improvement should be added to the right-hand forward partition on Beech Model 1900D airplanes; and (2) AD action should be taken to prevent cabin partition failure because of a structural deficiency, which, if not detected and corrected, could cause passenger injury if the partition could not withstand the load incurred with the baggage compartment loaded to its 250-pound limit.

Since an unsafe condition has been identified that is likely to exist or develop in other Beech Model 1900D airplanes of the same type design, the proposed AD would require inspecting the right-hand forward partition on certain serial number airplanes to ensure that the partition bracket exists, installing this bracket if it does not exist, and incorporating a structural improvement to the right-hand forward partition on all affected airplanes. The proposed action would be accomplished in accordance with Kit Drawing No. 129-5007 and the instructions to Kit No. 29-5007-1 S, as referenced in Beech SB No. 2556, Revision 1, dated February 1995.

The FAA estimates that 73 airplanes in the U.S. registry would be affected by the proposed inspection and possible installation and 91 airplanes in the U.S. registry would be affected by the proposed modification. The proposed inspection and possible installation would take approximately 5 workhours per airplane to accomplish and the proposed modification would take approximately 5 workhours per airplane to accomplish, with a labor rate of approximately \$60 an hour. Parts for the proposed modification cost approximately \$650 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$108,350. This figure is based on the assumption that no owner/operator of the affected airplanes has accomplished the proposed modification and no airplane has a right-hand forward partition bracket installed and would need one installed.

Beech has informed the FAA that it has distributed parts (Kit No. 129-5007-1 S) to accommodate approximately 58 of the affected airplanes. Assuming that each of these distributed kits is incorporated on one of the affected airplanes, the cost of the proposed AD would be further reduced by \$55,100 from \$108,350 to \$53,250.

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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**Beech Aircraft Corporation:** Docket No. 94-CE-33-AD.

**Applicability:** Model 1900D airplanes, serial numbers UE-2 through UE-92, 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 use the authority

provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any aircraft from the applicability of this AD.

**Compliance:** Required within the next 400 hours time-in-service after the effective date of this AD, unless already accomplished.

To prevent cabin partition failure because of a structural deficiency, which, if not detected and corrected, could cause passenger injury if the partition could not withstand the load incurred with the baggage compartment loaded to its 250-pound limit, accomplish the following:

(a) For airplanes incorporating one of the following serial numbers: UE-2 through UE-68, UE-70 through UE-72, or UE-74 through UE-77, inspect the cabin partition to ensure that a right-hand partition bracket, part number (P/N) 129-530043-79, exists. If this bracket does not exist, prior to further flight, install this bracket with P/N MS27039-1-09 screws and P/N AN960PD10 washers in accordance with Kit Drawing No. 129-5007 as referenced in Beech SB No. 2556, Revision 1, dated February 1995.

(b) For all affected serial numbers (UE-2 through UE-92), improve the right-hand forward partition installation in accordance with the instructions to Kit No. 129-5007-1 S as referenced in Beech SB No. 2556, Revision 1, dated February 1995.

(c) 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.

(d) An alternative method of compliance or adjustment of the compliance time 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 the Wichita ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on April 11, 1995.

**Dwight A. Young**

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

[FR Doc. 95-9343 Filed 4-14-95; 8:45 am]

BILLING CODE 4910-13-U

**14 CFR Part 39**

[Docket No. 95-CE-21-AD]

**Airworthiness Directives; Piper Aircraft Corporation Model PA-31T2 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 Piper Aircraft Corporation (Piper) Model PA-31T2 airplanes that have a Parker Hannifin Wheel and Brake Conversion Kit 199-111 installed in accordance with Supplemental Type Certificate (STC) SA599GL. The proposed action would require rerouting the landing gear emergency extension air line. Three incidents of the brake cylinder contacting the landing gear emergency extension air line on both wheels prompted the proposed action. The actions specified by the proposed AD are intended to prevent the brake cylinder from chafing against the landing gear emergency extension air line when the gear is in the up and locked position, which, if not detected and corrected, could result in damage to the air line and subsequent loss of emergency gear extension capability.

**DATES:** Comments must be received on or before June 19, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-21-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 Parker Hannifan Corporation, Aircraft Wheel & Brake, 1160 Center Road, P.O. Box 158, Avon, Ohio 44011; telephone (216) 937-6211; facsimile (216) 937-5409. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Mr. Nick Miller, Aerospace Engineer, Chicago Aircraft Certification Office,

FAA, 2300 East Devon Avenue, Room 232, Des Plaines, Illinois 60018; telephone (708) 294-7379; facsimile (708) 294-7834; or Mr. Charles Perry, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

**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. 95-CE-21-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 Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-21-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Discussion**

The FAA has received three reports of the brake cylinder chafing against the landing gear emergency extension air line of both wheels on Piper Model PA-31T2 airplanes that have a Parker Hannifin Wheel and Brake Conversion Kit 199-111 installed in accordance with STC SA599GL. As the brake linings become worn through regular

usage, the brake cylinder repositions. Then, when the landing gear is in the up and locked position, the brake cylinder chafes against the air line. This condition, if not detected and corrected, could result in damage to the landing gear emergency extension air line and subsequent loss of emergency gear extension capability.

Parker Hannifan has issued Service Bulletin SB7034, dated April 23, 1994, which specifies procedures for rerouting the landing gear emergency extension air line on these Piper Model PA-31T2 airplanes that have a Parker Hannifin Wheel and Brake Conversion Kit 199-111 installed in accordance with STC SA599GL.

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 brake cylinder from chafing against the landing gear emergency extension air line when the gear is in the up and locked position, which, if not detected and corrected, could result in damage to the air line and subsequent loss of emergency gear extension capability.

Since an unsafe condition has been identified that is likely to exist or develop in other Piper Model PA-31T2 airplanes of the same type design that have a Parker Hannifin Wheel and Brake Conversion Kit 199-111 installed in accordance with STC SA599GL, the proposed AD would require rerouting the landing gear emergency extension air line. The proposed action would be accomplished in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Parker Hannifan Service Bulletin SB7034, dated April 23, 1994.

The FAA estimates that there are 62 Piper Model PA-31T2 airplanes in the U.S. registry that could incorporate a Parker Hannifin Wheel and Brake Conversion Kit 199-111 (in accordance with STC SA599GL), that it would take approximately 4 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$20 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators could be as much as \$16,120 if all affected airplanes had the referenced conversion kit installed.

Parker Hannifan has informed the FAA that it has distributed 31 kits to Piper Model PA-31T2 airplane owners/operators. Based on each of the 31 kits being incorporated on an affected airplane, the cost impact of the proposed AD on U.S. owners and operators would be reduced 50 percent from \$16,120 to \$8,060. The reduction