Paragraph (d) of the petitioner's proposed revision to § 50.48 provides that all exemptions to 10 CFR Part 50, Appendix R, ''apply in full under the terms of Appendix S.'' However, the petition does not explain what relevance or effect an exemption to a specific Appendix R requirement could have if a licensee instead chose to comply with a substitute Appendix S requirement. The language could be interpreted as intending to make clear that licensees who choose to comply with a specific Appendix S provision should not lose its exemptions to those portions of Appendix R for which the licensee continues to be in compliance. The Commission requests comments on how exemptions to 10 CFR Part 50, Appendix R, should be treated if a licensee chooses to comply, in full or part, with the alternative requirements in the proposed Appendix S.

13. Regulatory Analysis: The need for regulatory analysis for rulemakings that reduce burden.

The petition proposes that a regulatory analysis does need not to be prepared for the proposed rulemaking, because it does not impose a new requirement on licensees but instead, provides an alternative means of compliance. The petition also argues that because the proposed rulemaking is intended to result in cost saving for licensees, there is no need for a regulatory analysis. The Commission notes that a regulatory analysis could also provide important information when the Commission is considering reducing regulatory requirements. For example, the regulatory analysis could be utilized to determine whether a proposed change in regulatory requirements in fact would be more efficient in maintaining the desired level of safety while reducing regulatory burden. The regulatory analysis process would also be useful in identifying alternatives for reducing regulatory burden with a different mix of impacts on licensees and the NRC. Therefore, the Commission requests comments on the petition's arguments that a regulatory analysis does not need to be prepared for rulemaking petitions in which regulatory burdens are proposed to be relaxed.

Dated at Rockville, Maryland, this 31st day of May, 1995.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 95–13755 Filed 6–5–95; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94–NM–133–AD]

Airworthiness Directives; Boeing Model 757 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 Boeing Model 757 series airplanes. This proposal would require modifying the engine fuel indication circuits. This proposal is prompted by numerous reports of false indications of engine fuel valve faults, which have led to the flight crew conducting rejected takeoffs (RTO). The actions specified by the proposed AD are intended to prevent such false indications and the flight crew's consequent execution of an RTO at high speed during takeoff roll, which could result in the airplane overrunning the runway, damage to the airplane, and injury to airplane occupants.

DATES: Comments must be received by August 2, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–133–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.

FOR FURTHER INFORMATION CONTACT: Jeff Duven, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4065; telephone (206) 227–2688; fax (206) 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 94–NM–133–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–103, Attention: Rules Docket No. 94–NM–133–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of at least fifteen incidents of false indications of engine fuel valve faults that have occurred on Boeing Model 757 series airplanes. The purpose of the engine fuel valve fault indication is to alert the flight crew that the engine-mounted fuel valve is not in the commanded position. In all of the reported incidents, the engine fuel valve was in the commanded position, but the indication system indicated that the valve was not in that position.

In nine of these incidents, the flight crew's response to the false indication was to initiate a rejected takeoff (RTO). The other six incidents resulted in various flight schedule interruptions. There have been no reports of airplane damage or passenger injuries resulting from any of these particular incidents.

Rejected takeoffs that are initiated at high speed should be executed only in response to conditions that preclude the continued safe takeoff of the airplane. False indications of an engine fuel valve fault, such as those that occurred in the

reported incidents, are not a hazard to the continued safe operation of the engines or the airplane and, therefore, should not result in RTO's. The current service history of Model 757 series airplanes has shown, however, that when these false indications occur during the takeoff roll, flight crews are concerned to such a level that they believe an RTO is necessary.

Transport category airplanes, such as the Model 757, are designed to allow an RTO to be safely executed, provided that the maneuver is initiated at or below established airplane speeds. When RTO's are initiated at speeds in excess of the established speeds, or when the established flight crew procedures are not followed, there may not be sufficient distance remaining on the runway to bring the airplane to a safe stop. Service history has documented numerous accidents and incidents in which various models of transport category airplanes have overrun the available stopping area; this has led to consequent damage or destruction of the airplane, and injuries to airplane occupants.

The FAA has reviewed and approved the following two Boeing service bulletins:

1. Boeing Service Bulletin 757–76–0010, dated August 12, 1993, which pertains to Model 757 series airplanes equipped with Pratt & Whitney (P&W) PW2000 engines; and

2. Boeing Service Bulletin 757–76–0011, dated December 2, 1993, which pertains to Model 757 series airplanes equipped with Rolls-Royce RB211–535 engines.

These service bulletins describe procedures for modifying the engine fuel indication circuits to decrease the number of false fault indications of the engine fuel valve. Decreasing the number of these false indications will thereby decrease the number of RTO's initiated for this reason. This modification will not affect correct indications of an engine fuel valve fault.

For Model 757 series airplanes equipped with Rolls-Royce RB211–535 engines, the successful installation of this modification of the engine fuel indication circuits requires that an additional modification of the engine fuel shutoff valve control be installed previously or concurrently. Boeing Service Bulletin 757–76–0007, Revision 2, dated January 23, 1992, describes procedures for modifying the engine fuel shutoff valve control on these airplanes by installing six blocking diodes in the P36 and P37 panels, and modifying the airplane's wiring to accommodate the diode installation. (This modification will reduce the possibility of engine shutdown due to uncommanded closing of the engine fuel shutoff valve.) The FAA has reviewed and approved this service bulletin.

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 modifying the engine fuel indication circuits to decrease the number of false fault indications of the engine fuel valve. This proposed AD would also require that modification of the engine fuel shutoff valve control be accomplished on airplanes equipped with the subject Rolls Royce engines prior to or concurrently with the modification of the engine fuel indication circuits. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Operators of airplanes equipped with Rolls Royce engines would be provided a longer compliance time for modification, since the modifications required for those airplanes necessitate more work hours to complete than for the modification of airplanes equipped with P&W engines.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this long-standing requirement.

There are approximately 272 Model 757 series airplanes equipped with P&W PW2000 engines in the worldwide fleet. The FAA estimates that 219 of these airplanes are currently of U.S. registry and would be affected by this proposed AD. It would take approximately 4 work hours per airplane to accomplish the proposed modification of the engine fuel indication circuits, at an average labor rate of $60 per work hour. The cost of required parts would be negligible. Based on these figures, the total cost impact of the proposed AD on U.S. operators of these airplanes is estimated to be $52,560, or $240 per airplane.

There are approximately 302 Model 757 series airplanes equipped with Rolls Royce RB211–535 engines in the worldwide fleet. The FAA estimates that 119 of these airplanes are currently of U.S. registry and would be affected by this proposed AD. It would take approximately 4 work hours per airplane to accomplish the proposed modification of the engine fuel indication circuits, at an average labor rate of $60 per work hour. The cost of required parts would be $194 per airplane. Based on these figures, the total cost impact of this proposed modification on U.S. operators of these airplanes is estimated to be $51,646, or $434 per airplane.

Additionally, for airplanes equipped with Rolls Royce RB211–535 engines, it would take approximately 28 work hours to accomplish the proposed modification of the engine fuel shutoff valve control, at an average labor rate of $60 per work hour. The cost of required parts would be $470 per airplane. Based on these figures, the total cost impact of this proposed modification on U.S. operators of these airplanes is estimated to be $255,850, or $2,150 per airplane.

The total 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. However, the FAA is aware that the modification of the engine fuel shutoff valve control has already been accomplished on several affected Model 757 series airplanes equipped with Rolls Royce RB211–535 engines; therefore, the future total cost impact of this proposed AD is reduced by that amount.

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. 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 the following new airworthiness directive:

Boeing: Docket 94–NM–133–AD.

Applicability: Model 757 series airplanes equipped with Pratt & Whitney PW2000 engines, as listed in Boeing Service Bulletin 757–76–0010, dated August 12, 1993; and Model 757 series airplanes equipped with Rolls-Royce RB211–535 engines, as listed in Boeing Service Bulletin 757–76–0011, dated December 2, 1993; 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 (c) 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 airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent false indications of engine fuel valve faults, accomplish the following:

(a) For airplanes equipped with Pratt & Whitney PW2000 engines: Within 6 months after the effective date of this AD, modify the engine fuel valve indication circuits in accordance with Boeing Service Bulletin 757–76–0010, dated August 12, 1993.

(b) For airplanes equipped with Rolls-Royce RB211–535 engines: Within 18 months after the effective date of this AD, accomplish the modifications specified in paragraphs (b)(1) and (b)(2) of this AD. The modification specified in paragraph (b)(1) must be accomplished either prior to or concurrently with the modification specified in paragraph (b)(2). In any case, both modifications must be completed within 18 months after the effective date of this AD.

(1) Modify the engine fuel shutoff valve control in accordance with Boeing Service Bulletin 757–76–0007, Revision 2, dated January 23, 1992.

Note 2: Accomplishment of this modification prior to the effective date of this AD in accordance with Boeing Service Bulletin 757–76–0007 (original issue), dated February 22, 1990, or Revision 1, dated October 31, 1991, is considered acceptable for compliance with paragraph (b)(1) of this AD.

(2) Modify the engine fuel valve indication circuits in accordance with Boeing Service Bulletin 757–76–0011, dated December 2, 1993.

(c) 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 Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. 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 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(d) 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.

Issued in Renton, Washington, on May 30, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–13784 Filed 6–5–95; 8:45 am]

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14 CFR Part 39

[Docket No. 95–ANE–32]

Airworthiness Directives; Hamilton Standard 14RF, 247F, 14SF, and 6/5500/F Series Propellers

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 Hamilton Standard 14RF, 247F, 14SF, and 6/5500/F (formerly Hamilton Standard/British Aerospace 6/5500/F) series propellers, that currently requires initial and repetitive inspections of the propeller control unit (PCU) servo ballscrew internal spline (BIS) teeth for wear, and replacement, if necessary, of PCU servo BIS assemblies. This proposed AD would increase the repetitive PCU servo BIS teeth inspection interval from 1,500 to 2,500 hours time in service (TIS) for propellers that have a ballscrew quill damper installed. In addition, this proposed AD would add an optional terminating action to the repetitive PCU servo BIS teeth inspections by installing a Secondary Drive Quill (SDQ). If an SDQ is installed, this proposed AD would require initial and repetitive torque check inspections of the primary ballscrew quill. This proposal is prompted by field service and laboratory test data that indicate that the repetitive inspection interval can be safely increased, and by the development and availability of the SDQ. The actions specified by the proposed AD are intended to prevent inability to control the propeller blade angle due to tooth wear in the PCU servo BIS assembly.

DATES: Comments must be received by July 6, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–ANE–32, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Hamilton Standard, One Hamilton Road, Windsor Locks, CT 06096–1010. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Frank Walsh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7158, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the