

NUCLEAR REGULATORY COMMISSION

10 CFR Chapter 1

Rulemaking Communications Improvements

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Request for comments.

SUMMARY: The Nuclear Regulatory Commission (NRC) is seeking comments and recommendations from all interested persons regarding options for improving NRC communications with the public on agency rulemaking activities.

DATES: Submit comments by July 1, 2002. Comments received after this date will be considered only if it is practical to do so.

ADDRESSES: Submit written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, Mail Stop O-16C1, or deliver written comments to One White Flint North, 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

You may also provide comments via the NRC's interactive rulemaking Web site at <http://ruleforum.llnl.gov>. This site provides the capability to upload comments as files (any format), if your Web browser supports that function. For information about the interactive rulemaking Web site, contact Ms. Carol Gallagher at (301) 415-5905 or by e-mail to cag@nrc.gov. Copies of any comments received and certain documents related to this notice may be examined at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. The NRC maintains an electronic Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. Public comments on this notice may be accessed in ADAMS through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to pdr@nrc.gov.

FOR FURTHER INFORMATION CONTACT: William Huffman, Policy and Rulemaking Program, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Telephone: (301) 415-1141; E-mail: wch@nrc.gov or Merri

Horn, Rulemaking and Guidance Branch, Office of Nuclear Material Safety and Safeguards; Telephone: (301) 415-8126; E-mail: mlh1@nrc.gov.

SUPPLEMENTARY INFORMATION: The NRC currently communicates with the public about rulemaking activities in a number of ways. The agency notices all rulemaking actions in the **Federal Register**, and invites the public to comment on noticed actions *via* mail, hand delivery, or by uploading a file to the agency's RuleForum Web site (<http://ruleforum.llnl.gov>). The RuleForum site contains extensive information on both specific rulemakings under development and general rulemaking activities, and allows visitors to read comments submitted to the NRC by other members of the public. Documents related to rulemaking activities, including public comments, can also be accessed online through the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>.

In addition, the NRC's Public Document Room (PDR), located at the agency's headquarters in Rockville, MD, is open to the public on all Federal work days. Occasionally, the agency conducts meetings or workshops related to specific rulemakings, events which are publicized in the **Federal Register** and on the NRC's home page (<http://www.nrc.gov>).

As part of an ongoing effort to improve stakeholder satisfaction with the way the NRC communicates with the public, the agency is considering enhancements to its current methods of informing the public about rulemaking activities and to encourage public participation in the rulemaking process. To support this endeavor, the NRC is requesting comment on its rulemaking communications process. Comment is requested on, but need not be limited to, the topics below:

(1) In addition to the use of the **Federal Register** and the NRC rulemaking Web site, what other forums would be effective in informing the public about rulemaking activities?—e.g., e-Mail, mailing lists, announcements on related Web sites, public meetings, or other suggestions.

(2) The general process used by the public to provide comments on rulemakings published in the **Federal Register** is to either mail the comments to the Secretary, U.S. Nuclear Regulatory Commission or use the NRC's interactive rulemaking Web site. In addition, public meetings are occasionally used for obtaining public comments for some rulemakings. Are there any other methods that might be

used to facilitate public comments on rulemaking activities?

(3) At what stage(s) of the rulemaking process is interaction with the public most effective and beneficial?—e.g., at the beginning of the process before a rulemaking plan has been approved; shortly after a rulemaking plan has been approved; shortly before issuing a proposed rule; during the public comment period; or after a rulemaking has been proposed to the public and comments have been received and assessed but before the final rule has been approved?

(4) What method of public interaction on rulemaking activities is preferred?—e.g., **Federal Register** notice; posting draft rule language on the Web; meetings; or other suggestions?

(5) How useful are public meetings for communicating NRC rulemaking activities to all stakeholders?

A. Are there occasions where public meetings are important in conducting rulemaking activities?

B. For those that consider public meetings on rulemaking activities an important part of the process, at what stage of the rulemaking process would meetings be most beneficial and effective?—e.g., at the beginning of the process before a rulemaking plan has been approved; shortly after a rulemaking plan has been approved; shortly before issuing a proposed rule; during the public comment period; or after a rulemaking has been proposed to the public and comments have been received and assessed but before the final rule has been approved?

(6) Are published responses to public comments on proposed rules generally comprehensive, clearly written, and well-argued?

(7) How useful is the initiative by the NRC to place draft rulemaking language on the NRC Web site with or without the associated statement of considerations?

(8) How can the NRC obtain better information and comments on the cost or benefit of a rulemaking under development—i.e., information used to create a regulatory analysis?

(9) Is the NRC's typical 75-day comment period for proposed rules sufficient?

Dated at Rockville, Maryland, this 23rd day of May, 2002.

For the Nuclear Regulatory Commission.

Christopher I. Grimes,

Program Director, Policy and Rulemaking Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

Patricia K. Holahan,

Chief, Rulemaking and Guidance Branch, 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. 2002-NM-85-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 747 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 747 series airplanes. This proposal would require repetitive inspections to detect evidence of wear damage in the area at the interface between the vertical stabilizer and fuselage skin, and corrective actions, if necessary. This proposal also would provide for an optional terminating action for the repetitive inspections. This action is necessary to detect and correct wear damage of the fuselage skin, which could result in thinning and cracking of the fuselage skin, and consequent in-flight depressurization of the airplane. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by July 15, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-85-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: *9-anm-nprmcomment@faa.gov*. Comments sent

via fax or the Internet must contain "Docket No. 2002-NM-85-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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:

Technical Information: Rick Kawaguchi, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1153; fax (425) 227-1181.

Other Information: Judy Golder, Airworthiness Directive Technical Editor/Writer; telephone (425) 227-1119, fax (425) 227-1232. Questions or comments may also be sent via the Internet using the following address: *judy.golder@faa.gov*. Questions or comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

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 action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

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 action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2002-NM-85-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. 2002-NM-85-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received several reports of wear damage at the interface area of the vertical stabilizer and fuselage skin in section 46 and section 48 on certain Boeing Model 747 series airplanes. The damage has been attributed to movement of the adjacent vertical stabilizer blade seal and subsequent wear through the enamel coating on the fuselage skin. Such wear damage of the fuselage skin in the area at the interface between the vertical stabilizer and fuselage skin, if left undetected, could result in thinning and cracking of the fuselage skin, and consequent in-flight depressurization of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin (ASB) 747-53A2478, dated February 7, 2002, which describes procedures for repetitive detailed inspections to detect wear damage of the fuselage skin at the interface areas of the vertical stabilizer seal and fuselage skin, and corrective actions, if necessary. The ASB describes the corrective actions that include removal of the exterior surface finish and measurement of the wear depth if wear exists on the fuselage skin. If wear damage is detected, the ASB refers operators to the Structural Repair Manual (SRM). If no wear damage is found, the ASB describes procedures for refinishing the fuselage skin with BMS 10-86 Teflon-filled coating, which would eliminate the need for repetitive inspections. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.