

warehouse with a 100,000 square-foot capacity. This cold storage and treatment facility, completed in August 2000, includes three rooms with freezing and chilling capacities, and temperature-controlled rail and truck docks. A study conducted by the port authority of Corpus Christi predicts that by the year 2010, national container traffic will top 2.75 million transit and exit units (TEU's) and that the port of Corpus Christi could capture a throughput of 820,000 TEU's.

The port authority expects that it would receive commodity imports from several countries throughout Central and South America in addition to New Zealand and South Africa. The annual collective estimated value of commodities expected to be cold treated at the facility is nearly \$131.7 million.

#### Effect on Small Entities

According to the Small Business Administration, a small entity involved in the wholesale trade of fresh fruits is one that employs no more than 100 people. While small entities will likely benefit from being able to cold treat commodities at the port of Corpus Christi, the number of these entities and the extent to which they might benefit are unknown. Additionally, import and transport companies in the region can be expected to handle increased traffic in fruits and vegetables, as indicated by the projected figures provided by exporters in Latin America and South Africa; consequently, we expect local employment opportunities to increase. Given these considerations, we expect that the overall economic effect of this rule will be positive.

This rule contains no information collection or recordkeeping requirements (see "Paperwork Reduction Act" below).

#### Executive Order 12988

This final rule allows fresh fruit to be imported into the United States for cold treatment at the maritime port of Corpus Christi, TX. State and local laws and regulations regarding fruit imported under this rule would be preempted while the fruit is in foreign commerce. Fresh fruit is generally imported for immediate distribution and sale to the consuming public and would remain in foreign commerce until sold to the ultimate consumer. The question of when foreign commerce ceases in other cases must be addressed on a case-by-case basis. No retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

#### Paperwork Reduction Act

This final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 7 CFR Part 319

Bees, Coffee, Cotton, Fruits, Honey, Imports, Nursery Stock, Plant Diseases and pest, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we are amending 7 CFR part 319 as follows:

#### PART 319—FOREIGN QUARANTINE NOTICES

1. The authority citation for part 319 continues to read as follows:

**Authority:** 7 U.S.C. 166, 450, 7711–7714, 7718, 7731, 7732, and 7751–7754; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

2. Section 319.56–2d is amended as follows:

a. In paragraph (b)(1), the words "Corpus Christi, TX," are added immediately before the words "and Gulfport, MS"; the words "Airport, Baltimore, MD," are added after the words "Baltimore-Washington International"; and the words "airports, Washington, DC" are removed and the words "Airport, Chantilly, VA" added in their place.

b. In paragraph (b)(5)(iii), the words "Collector of Customs" is removed and the words "Customs Service" added in their place.

c. In paragraphs (b)(5)(iv)(B), (b)(5)(v)(B), and (b)(5)(vi)(B), the words "Bureau of Customs" are removed each time they occur and the words "U.S. Customs Service" added in their place.

d. The introductory text of paragraph (b)(5)(vii) is revised.

e. In paragraph (b)(5)(vii)(A), the words "at the port of Gulfport, MS" are removed.

f. In paragraph (b)(5)(vii)(C), the words "Bureau of Customs" are removed and the words "U.S. Customs Service" added in their place.

g. Paragraph (b)(5)(vii)(H) is revised.

*The amended text reads as follows:*

#### § 319.56–2d Administrative instructions for cold treatment of certain imported fruits.

\* \* \* \* \*

(b) \* \* \*

(5) \* \* \*

(vii) *Special requirements for the maritime ports of Gulfport, MS, and Corpus Christi, TX.* Shipments of fruit arriving at the ports of Gulfport, MS, and Corpus Christi, TX, for cold treatment, in addition to meeting all of

the requirements in paragraphs (b)(5)(i) through (b)(5)(iii) of this section, must meet the following special conditions:

\* \* \* \* \*

(H) Blacklights or sticky paper must be used within the cold treatment facility, and other trapping methods, including Jackson/methyl eugenol and McPhail traps, must be used within the 4 square miles surrounding the cold treatment facility at the maritime port of Gulfport, MS, and within the 5 square miles surrounding the cold treatment facility at the maritime port of Corpus Christi, TX.

\* \* \* \* \*

Done in Washington, DC, this 14th day of January 2003.

**Peter Fernandez,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 03–1212 Filed 1–17–03; 8:45 am]

**BILLING CODE 3410–34–P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

#### RIN 3150–AH05

#### List of Approved Spent Fuel Storage Casks: VSC–24 Revision; Confirmation of Effective Date

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is confirming the effective date of February 3, 2003, for the direct final rule that appeared in the **Federal Register** of November 20, 2002 (67 FR 69987). This direct final rule amended the NRC's regulations by revising the Pacific Sierra Nuclear Associates VSC–24 system listing within the "List of approved spent fuel storage casks" to include Amendment No. 4 to Certificate of Compliance No. 1007. This document confirms the effective date.

**DATES:** The effective date of February 3, 2003, is confirmed for this direct final rule.

**ADDRESSES:** Documents related to this rulemaking, including comments received, may be examined at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. These same documents may also be viewed and downloaded electronically via the rulemaking Web site (<http://ruleforum.llnl.gov>). For information about the interactive rulemaking Web

site, contact Ms. Carol Gallagher (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6219 (email: [jmm2@nrc.gov](mailto:jmm2@nrc.gov)).

**SUPPLEMENTARY INFORMATION:** On November 20, 2002 (67 FR 69987), the NRC published in the **Federal Register** a direct final rule amending its regulations in 10 CFR Part 72 to revise the Pacific Sierra Nuclear Associates VSC-24 system listing within the "List of approved spent fuel storage casks" to include Amendment No. 4 to Certificate of Compliance No. 1007. Amendment No. 4 modifies the present cask system design to permit the storage of different specific fuel control elements as integral components to fuel assemblies under a general license. In addition, Amendment No. 4 amends Technical Specification (TS) 1.1.1 to change the flood condition velocity from 7.62 meters per second (m/s) [25 feet per second (ft/s)] to 5.39 m/s (17.7 ft/s); TS 1.2.1, 1.2.4, and 1.2.6 to address the additional fuel control elements approved for storage, and deletes TS 1.2.10 to eliminate redundant requirements for controlling moderator density.

In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on the date noted above. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 15th day of January, 2003.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 03-1219 Filed 1-17-03; 8:45 am]

**BILLING CODE 7590-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-SW-40-AD; Amendment 39-13022; AD 2002-13-05 R1]

RIN 2120-AA64

#### **Airworthiness Directives; MD Helicopters, Inc. Model 369D, 369E, 369F, and 369FF Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment revises an airworthiness directive (AD) for the specified MD Helicopters, Inc. (MDHI) helicopters that currently requires identifying the part number (P/N) of the bolts that attach the tail rotor gearbox to the tailboom and replacing any bolt of inadequate grip length with an airworthy bolt. That AD also requires adding an additional washer if more than four threads protrude from the nutplate. This amendment requires the same actions as the existing AD but reduces the applicability to only certain tailboom serial numbers and parts modified in accordance with either Supplemental Type Certificate (STC) SH5055NM or SH4801NM. This amendment also corrects a typographical error and clarifies that a slippage mark needs to be reapplied to each bolt regardless of the outcome of the required torque test. This amendment is prompted by the need to correct and clarify the applicability and other portions of the existing AD. The actions specified by this AD are intended to prevent loss of a tail rotor gearbox due to bolts of inadequate grip length and subsequent loss of control of the helicopter.

**DATES:** Effective February 25, 2003.

**FOR FURTHER INFORMATION CONTACT:** John Cecil, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712-4137, telephone (562) 627-5228, fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** A proposal to amend 14 CFR part 39 by revising AD 2002-13-05, Amendment 39-12793 (67 FR 43227, June 27, 2002), for the specified MDHI model helicopters with a tailboom modified according to either Aerometals STC SH5055NM or SH4801NM, was published in the **Federal Register** on September 24, 2002 (67 FR 185).

Before issuing AD 2002-13-05, the FAA solicited comments by a Notice of Proposed Rulemaking, published in the **Federal Register** on December 27, 2001 (66 FR 66821). A commenter stated that the applicability of the AD should be limited to certain part-numbered tailbooms with serial number (S/N) 5001-5032 specified in the FAA-approved Aerometals service bulletin. We did not agree with the commenter and, except for minor editorial changes, issued the AD as proposed (67 FR 43227, June 27, 2002). Since issuing AD 2002-13-05, we have determined that we inappropriately responded to the comment and that the commenter's

concern was valid. We are now reducing the applicability of AD 2002-13-05 to include only certain tailboom S/N's and parts that are modified in accordance with either STC SH5055NM or SH4801NM. We are also correcting the P/N for the washer to P/N AN960D416 in Figure 1 of this AD and clarifying that a slippage mark needs to be reapplied to each bolt regardless of the outcome of the required torque test.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that this AD will affect 500 helicopters of U.S. registry. Also, the FAA estimates this AD will require 1/2 work hour per helicopter to determine whether a helicopter has been modified by either STC and 1 work hour to inspect and replace the bolts for each of approximately 40 helicopters modified by the STC's. The average labor rate is \$60 per work hour. Required parts will cost approximately \$40 per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be \$19,000.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

#### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.