

action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations proposed herein would 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 proposal would not have federalism implications under Executive Order 13132.

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. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**McDonnell Douglas:** Docket 2001–NM–125–AD.

**Applicability:** All Model MD–90–30 airplanes; 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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:** Required as indicated, unless accomplished previously.

To ensure that the lanyards on the pressure relief door for the thrust reverser have adequate strength so that the door will not detach from the thrust reverser in the event that an engine bleed air duct bursts, which could result in the door striking and damaging the horizontal stabilizer, accomplish the following:

#### Replacement of Lanyards on the Thrust Reverser Pressure Relief Door

(a) Within 18 months after the effective date of the AD, replace the lanyards on the pressure relief door for the thrust reverser with new, improved lanyards, and accomplish associated modifications, per the Accomplishment Instructions of Boeing Service Bulletin MD90–78–048, excluding Evaluation Form, dated February 15, 2001. The associated modifications include removing the pressure relief door, modifying the pressure relief door (including replacing existing brackets with new brackets and reidentifying the door with a new part number), modifying the lower track beam (including removing terminals, replacing the aft quick-release pin with a new pin, and reidentifying the beam with a new part number), modifying the heat shield on the lanyard assembly attach lugs, and re-installing the pressure relief door.

**Note 2:** Boeing Service Bulletin MD90–78–048, excluding Evaluation Form, dated February 15, 2001, refers to International Aero Engines Service Bulletin V2500–NAC–78–0184, dated February 16, 2001, for instructions on replacing the lanyards on the pressure relief door for the thrust reverser.

#### Spares

(b) After the effective date of this AD, no person may install a lanyard having part number (01–250) or (01–255) on the pressure relief door for the thrust reverser on any airplane.

#### Alternative Methods of Compliance

(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, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add

comments and then send it to the Manager, Los Angeles ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

### Special Flight Permits

(d) 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.

Issued in Renton, Washington, on February 20, 2003.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03–4587 Filed 2–26–03; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. S–030]

RIN 1218–AC01

#### Safety Standards for Cranes and Derricks

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Notice of proposed Negotiated Rulemaking Committee membership; request for comments.

**SUMMARY:** The Occupational Safety and Health Administration is planning to establish a Crane and Derrick Negotiated Rulemaking Advisory Committee (C–DAC) under the Negotiated Rulemaking Act (NRA) and the Federal Advisory Committee Act (FACA). The Committee will negotiate issues associated with the development of a proposed revision of the existing construction safety standards for the cranes and derricks portion. The Committee will include representatives of parties who would be significantly affected by the final rule. The public may submit comments on the proposed list of members.

**DATES:** Comments submitted by mail must be postmarked not later than March 31, 2003. Emailed or faxed comments must be received by March 31, 2003.

**ADDRESSES:** Written comments may be submitted in any of three ways: by mail, by fax, or by email. Please include "Docket No. S–030" on all submissions.

By mail, the address is: OSHA Docket Office, Docket No. S–030, U.S.

Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210, telephone (202) 693-2350. Note that receipt of comments submitted by mail may be delayed by several weeks.

By fax, written comments that are 10 pages or fewer, may be transmitted to the OSHA Docket Office at telephone number (202) 693-1648.

By email, comments may be submitted through OSHA's Homepage at [ecommments.osha.gov](http://ecommments.osha.gov). Please note that you may not attach materials such as studies or journal articles to your electronic comments. If you wish to include such materials, you must submit three copies to the OSHA Docket Office at the address listed above. When submitting such materials to the OSHA Docket Office, clearly identify your electronic comments by name, date, subject, and Docket Number, so that we can attach the materials to your electronic comments.

**FOR FURTHER INFORMATION CONTACT:**

Mark Hagemann, Office of Construction Standards and Compliance Assistance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3468, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone: (202) 693-2345.

**SUPPLEMENTARY INFORMATION:** On July 16, 2002, OSHA published a **Federal Register** notice of intent to establish a negotiated rulemaking committee (67 FR 46612). The notice requested nominations for membership on the Committee and comments on the appropriateness of using negotiated rulemaking to develop a crane and derrick proposed rule. In addition, the notice described the negotiated rulemaking process and identified some key issues for negotiation.

Fifty-five nominations for membership on the Committee and several comments were received during the comment period. There was broad support for using negotiated rulemaking to update the standard. OSHA has decided to go forward with the negotiated rulemaking process. The Agency has developed the following proposed list of Committee members:

**Manufacturers and Suppliers**

Michael Brunet, Manitowoc Cranes, Inc., 2401 S. 30th Street, Manitowoc, WI 54220.

Peter Juhren, Morrow Equipment Company, L.L.C., 3218 Pringle Road, SE., Salem, OR 97302.

Larry Means, Wire Rope Technical Board, 801 North Fairfax Street, Suite 211, Alexandria, VA 22314.

**Lessors/Maintenance**

William Smith, Maxim Crane Works, 508-C DiGiulian Blvd., Glen Burnie, MD 21061.

**Users—Employers**

Joseph Collins, Zachry Construction Corporation, P.O. Box 240130, San Antonio, TX 78224.

Brian Murphy, Sundt Corporation, 4101 E Irvington Road, Tucson, AZ 85726.

George R. "Chip" Pocock, C.P. Buckner Steel Erection, P.O. Box 598, Graham, NC 27253.

Craig Steele, Schuck & Sons Construction Company, Inc., 8205 North 67th Avenue, Glendale, AZ 85302.

Darlaine Taylor, Century Steel Erectors, Inc., 210 Washington Avenue, Dravosburg, Pennsylvania 15034.

William J. "Doc" Weaver, 8065 S. Overhill Circle, Salt Lake City, UT 84121.

Robert Weiss, Cranes Inc. and A.J. McNulty & Company, Inc., 53-20 44th Street, Maspeth NY 11378.

Stephen Wiltshire, Shirley Contracting Corporation, 6108 Waterman Drive, Fredericksburg, VA 22407.

**Users—Labor Organizations**

Frank Migliaccio, International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, 1750 New York Ave., NW., Suite 400, Washington, DC 20006.

Dale Shoemaker, Carpenters International Training Center, 6801 Placid Street, Las Vegas, NV 89119.

**Operators—Labor Organizations**

Stephen Brown, International Union of Operating Engineers, 1125 17th Street, NW., Washington, DC 20036.

Emmett Russell, International Union of Operating Engineers, 1125 17th Street, NW., Washington, DC 20036.

**Government/Public Entities**

Noah Connell, U.S. Department of Labor/OSHA, 200 Constitution Ave., NW., Room N-3467, Washington, DC 20210.

**Training and Operator Testing**

David Ritchie, The St. Paul Companies, P.O. Box 1419, Bastrop, TX 78602.

**Power line Owners**

Michael Hyland, American Public Power Association, 2301 m Street, NW., Washington, DC 20037.

**Insurance**

Charles Yorio, Acordia, Two Gateway Center, 603 Stanwix Street, Suite 1900, Pittsburgh, PA 15222.

After evaluating the comments on the proposed list of Committee members,

OSHA will publish a notice of establishment of the Cranes and Derricks Negotiated Rulemaking Advisory Committee followed by a notice of the first Committee meeting and appointment of members.

**Authority:** This document was prepared under the direction of John L. Henshaw, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, pursuant to section 3 of the Negotiated Rulemaking Act of 1990, (5 U.S.C. 561 *et seq.*), FACA (5 U.S.C. Appendix 2), the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*), and Secretary of Labor's Order No. 3-2000 (65 FR 50017, Aug. 16, 2000).

Signed in Washington, DC, this 19th day of February, 2003.

**John L. Henshaw,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 03-4560 Filed 2-26-03; 8:45 am]

**BILLING CODE 4510-26-P**

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 100**

[CGD05-03-013]

RIN 2115-AE46

**Special Local Regulations for Marine Events; Delaware River, Pea Patch Island to Delaware City, DE**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish permanent special local regulations for marine events held on the waters of the Delaware River between Pea Patch Island and Delaware City, Delaware. These special local regulations are necessary to provide for the safety of life on navigable waters during the events. This action is intended to restrict vessel traffic in a portion of the Delaware River between Pea Patch Island and Delaware City during the events.

**DATES:** Comments and related material must reach the Coast Guard on or before April 28, 2003.

**ADDRESSES:** You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Section,