

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 50 and 52

[NRC-2011-0299]

RIN 3150-AJ08

### Station Blackout Mitigation Strategies

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory basis and draft rule concepts; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is requesting comment on the draft regulatory basis document to support the potential amendment of its regulations concerning nuclear power plant licensees' station blackout mitigation strategies. Appendix A of the draft regulatory basis provides a discussion of rule language concepts that the NRC staff is considering for this potential rulemaking. In addition, Appendix A contains a set of questions soliciting stakeholder feedback in areas that would support the NRC staff in developing a proposed rule. The issuance of this draft regulatory basis document is one of the actions stemming from the NRC's lessons-learned efforts associated with the March 2011 Fukushima Dai-ichi Nuclear Power Plant accident in Japan.

**DATES:** Submit comments by May 28, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is only able to ensure consideration of comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0299. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Email comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive an automatic email reply confirming receipt, contact us directly at 301-415-1677.

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301-415-1101.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern time) Federal workdays; telephone: 301-415-1677.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Timothy A. Reed, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1462; email: [Timothy.Reed@nrc.gov](mailto:Timothy.Reed@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Accessing Information and Submitting Comments**

##### *A. Accessing Information*

Please refer to Docket ID NRC-2011-0299 when contacting the NRC about the availability of information for this notice. You may access information related to this document, which the NRC possesses and is publicly available, by the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0299.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The ADAMS Accession Number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

##### *B. Submitting Comments*

Please include Docket ID NRC-2011-0299 in the subject line of your comment submission to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at [www.regulations.gov](http://www.regulations.gov) as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

#### **II. Background**

As the NRC continues its ongoing proposed rulemaking effort to amend portions of parts 50 and 52 of Title 10 of the *Code of Federal Regulations* (10 CFR) to incorporate requirements involving station blackout mitigation strategies, the NRC is making preliminary documents publicly available on the Federal rulemaking Web site, [www.regulations.gov](http://www.regulations.gov), under Docket ID NRC-2011-0299. By making these documents publicly available, the NRC seeks to inform stakeholders of the current status of the NRC's rulemaking development activities and to provide preparatory material for future public meetings. The NRC is instituting a 45-day public comment period on these materials, and the public is encouraged to participate in any related public meetings.

### III. Publicly Available Documents

The NRC has posted on [www.regulations.gov](http://www.regulations.gov) for public availability the draft regulatory basis to incorporate requirements involving station blackout mitigation strategies (ADAMS Accession No. ML13077A453). The draft regulatory basis documents the reasons why the NRC determined that rulemaking is the appropriate course of action to remedy a regulatory shortcoming.

In addition, in Appendix A, the draft regulatory basis provides a discussion of rule language concepts that the NRC staff is considering for this potential rulemaking. Appendix A also contains a set of questions soliciting stakeholder feedback in areas that would support the NRC staff in developing a proposed rule. The draft rule concepts provide the NRC's current thoughts about what requirements would be needed. The draft rule concepts do not represent a final NRC staff position nor have they been reviewed by the Commission. These concepts may undergo significant revision during the rulemaking process.

The NRC is requesting formal public comments on the draft regulatory basis and the draft rule concepts. The NRC may post additional materials to the Federal rulemaking Web site at [www.regulations.gov](http://www.regulations.gov) under Docket ID NRC-2011-0299. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe:

(1) Navigate to the docket folder (NRC-2011-0299); (2) click the "Email Alert" link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

Dated at Rockville, Maryland, this 2nd day of April, 2013.

For the Nuclear Regulatory Commission.

**Lawrence E. Kokajko,**

*Director, Division of Policy and Rulemaking,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 2013-08216 Filed 4-9-13; 8:45 am]

**BILLING CODE 7590-01-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0301; Directorate Identifier 2013-NM-025-AD]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 767-200, -300, -300F, and -400ER series airplanes. This proposed AD was prompted by reports of cracked and corroded nuts on an outboard flap support rib. This proposed AD would require, for certain airplanes, repetitive inspections of the cap seal for damaged sealant on nuts common to certain outboard flap support ribs, related investigative and corrective actions if necessary, and replacement of all fasteners in the support ribs, which terminates the repetitive inspections. For certain other airplanes, this proposed AD would require repetitive inspections of the cap seal for damaged sealant on nuts common to certain outboard flap support ribs, related investigative and corrective actions if necessary, and if necessary, a detailed inspection to determine the nut type installed in the outboard flap support rib and corrective actions; for these airplanes, this proposed AD provides optional replacement of all fasteners in the support ribs, which would terminate the repetitive inspections. We are proposing this AD to detect and correct cracked and corroded nuts and bolts and the installation of incorrect nuts on certain outboard flap support ribs, which could lead to additional nut and bolt damage in the joint, and result in loss of an outboard flap, and adversely affect continued safe flight and landing of the airplane.

**DATES:** We must receive comments on this proposed AD by May 28, 2013.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Boeing service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You

may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Berhane Alazar, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6577; fax: 425-917-6590; email: [berhane.alazar@faa.gov](mailto:berhane.alazar@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2013-0301; Directorate Identifier 2013-NM-025-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

We received reports that two cracked and corroded nuts were found on support rib number 2 of an outboard flap. It was determined that incorrect nuts were installed on support rib numbers 2 and 7. The correct nuts for this installation have part number (P/N) BACN10HR12 and a torque of 3,300 to 4,300 inch-pounds (in-lbs). The installed incorrect nuts have P/N