

corrected several ADAMS accession numbers referenced in the December 6, 2013, direct final rule and delayed the effective date of the rule from February 19, 2014, to March 11, 2014. The NRC also published on December 26, 2013 (78 FR 78285), a document that corrected several ADAMS accession numbers referenced in the December 6, 2013, companion proposed rule and extended the public comment period from January 6, 2014, to January 27, 2014.

## II. Public Comments on the Companion Proposed Rule

In the corrected direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on March 11, 2014.

The NRC received one comment on this amendment, which stated that, “[f]uels with a burn-up above 45 GWd/tU cause previously unforeseen safety problems and would break existing NRC safety rules . . . unless changes are made to the way fuel elements are packaged.” The comment raised general concerns with high burn-up spent fuel indicating that issues associated with high burn-up fuel have been “ignored and remedial action defunded” and that “. . . the NRC has insufficient data to support a licensing position on high burn-up cask storage.” The public comment is available in ADAMS under Accession No. ML14028A518.

The NRC staff reviewed this comment and concluded that this comment is not a significant adverse comment as defined in NUREG-BR-0053, Revision 6, “United States Nuclear Regulatory Commission Regulations Handbook” (hereinafter “Regulations Handbook”) (ADAMS Accession No. ML052720461), as it is beyond the scope of this rulemaking. Instead, this comment raises a generic concern regarding the safety of high burn-up fuel and its storage in spent fuel storage casks, and is not specific to any issue or concern with the amendment to the cask certificate that is the subject of this rulemaking. The ability of the HI-STORM 100 Cask System to store high burn-up fuel for 20 years was authorized in a prior amendment, Amendment No. 1. The final rule approving that amendment was published in the **Federal Register** on July 15, 2002 (67 FR 46369). This current amendment, Amendment No. 9, does not change that prior authorization, nor does this comment raise any other issue specific to the amendment in question.

Moreover, even if the comment were determined to be in scope, it is not a “significant” comment as defined in the

Regulations Handbook in that the comment does not present any new or significant information that warrants a substantive response in this notice and comment process. The general information cited by the commenter is not substantive enough to aid the NRC in understanding any impact upon the NRC’s safety review, the technical specifications, or the NRC’s conclusions of this particular amendment.

Furthermore, the commenter’s references to presentations regarding the storage of high burn-up fuel involve ongoing efforts to study high burn-up fuel for periods well beyond 20 years. However, Amendment No. 1, the prior amendment that authorized the storage of high burn-up fuel in the HI-STORM 100 Cask System, only authorized storage for 20 years and not beyond. The current amendment in question, Amendment No. 9, is also limited in term for a period of 20 years. The staff is considering this issue in our review of storage license and certificate renewal applications. The NRC is actively working with the U.S. Department of Energy (DOE), DOE scientific laboratories, and the industry, to perform additional testing and evaluation of the integrity of high burn-up fuel when stored for periods well beyond 20 years. The NRC expects that research, including cask demonstrations, cladding failure consequence analyses, vibration testing, and fuel rod bend tests, will provide more cladding material properties data regarding the storage of high burn-up fuel for extended periods. The NRC expects to garner information in this area over the next 5 years, and will use this information to assess the ongoing storage of high burn-up fuel for extended periods well beyond 20 years.

The NRC staff has concluded that there would be no significant environmental impacts as confirmed in Section VII, “Finding of No Significant Environmental Impact: Availability,” of the direct final rule. This comment does not challenge that finding because, as the Environmental Assessment explained, this amendment to the rule will not result in any significant change in the types or significant revisions in the amounts of any effluent released, no significant increase in the individual or cumulative radiation exposure, and no significant increase in the potential for or consequences from radiological accidents. This amendment continues to ensure that the Commission’s regulations regarding dose rates, found in 10 CFR part 20, are maintained.

A challenge to those dose rates, or the method by which the Commission establishes those dose rates, would be

most appropriately addressed as a petition for rulemaking pursuant to 10 CFR 2.802. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 28th day of February 2014.

For the Nuclear Regulatory Commission.

**Cindy Bladey,**

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

[FR Doc. 2014-04837 Filed 3-4-14; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2014-0125; Directorate Identifier 2013-NM-119-AD; Amendment 39-17778; AD 2014-05-05]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model 777 airplanes. This AD requires, for certain airplanes, replacing radio altimeter transceivers with upgraded units, and, for all airplanes, replacing low range radio altimeter antennas with new antennas. This AD was prompted by operator reports of erratic low range radio altimeter (LRRA) operation while the airplane is airborne. We are issuing this AD to prevent adverse system responses and flight deck effects that could result in loss of controllability of the airplane or landing short of the runway during landing.

**DATES:** This AD is effective March 20, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of March 20, 2014.

We must receive comments on this AD by April 21, 2014.

**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:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this 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 view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. 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> by searching for and locating Docket No. FAA-2014-0125; 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 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:

Walter Cameron, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 917-6460; fax: (425) 917-6590; email: [walter.cameron@faa.gov](mailto:walter.cameron@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Discussion

We have received operator reports of erratic low range radio altimeter (LRRA) operation while the airplane is airborne. The symptoms of erratic LRRA can include the following:

- Large differences between captain's and first officer's radio altitudes or a negative altitude in air.
- "NO LAND 3" or "NO AUTOLAND" Engine Indication and Crew Alerting System (EICAS) message.

- Autopilot disconnect, inability to engage autopilot, or flight directors bias-out-of view.

- Autothrottle disconnect, autothrottle retard, or inability to engage autothrottle into SPD (Speed) mode.

- Unexpected configuration warnings after takeoff, during approach, or during go-around

- Missing or inappropriate aural height callouts

- Unavailability of auto speedbrake via "AUTO SPEEDBRAKE" EICAS message.

- Nuisance or missing Ground Proximity Warning System (GPWS) warnings.

- Electronic Engine Control (EEC) indicating ground mode and engine going to ground idle.

- Inability to engage Lateral Navigation (LNAV).

Erratic LRRA operation events have been determined to possibly result from the following causes:

- Antenna alteration at the antenna level can create micro cracks on the electrical grounding connection, damage the coax cables or the coax connector center pin contact. Any one of these damages to the antenna assembly can affect the radio altimeter system functionality.

- The currently installed radio altimeter transceivers on some airplanes may not have adequate antenna monitoring capabilities for detecting antenna deterioration caused by environmental conditions or damage to the antenna during antenna alteration (which can result in breaks in the coaxial cables or damage to the coax connector).

These conditions, if not corrected, could result in adverse system responses and flight deck effects that could result in loss of controllability of the airplane or landing short of the runway during landing. We are issuing this AD to correct the unsafe condition on these products.

#### Relevant Service Information

We reviewed Boeing Alert Service Bulletin 777-34A0191, Revision 1, dated March 23, 2012, and Boeing Alert Service Bulletin 777-34A0192, dated December 14, 2012. For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for Docket No. FAA-2014-0125.

#### FAA's Determination

We are issuing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

#### AD Requirements

This AD requires accomplishing the actions specified in the service information identified previously.

#### FAA's Justification and Determination of the Effective Date

There are no products of this type currently registered in the United States. However, this rule is necessary to ensure that the described unsafe condition is addressed if any of these products are placed on the U.S. Register in the future. Therefore, we find that notice and opportunity for prior public comment are unnecessary and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA-2014-0125 and Directorate Identifier 2013-NM-119-AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

#### Costs of Compliance

We estimate that this AD affects 0 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

## ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Transceiver Replacement .....	2 work-hours × \$85 per hour = \$170 .....	\$9,515	\$9,685	\$0
Antenna Replacement .....	7 work-hours × \$85 per hour = \$595 .....	2,703	3,298	0

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs" describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

- (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),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) 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.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2014-05-05 The Boeing Company:**

Amendment 39-17778; Docket No. FAA-2014-0125; Directorate Identifier 2013-NM-119-AD.

**(a) Effective Date**

This AD is effective March 20, 2014.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to The Boeing Company Model 777-200, -200LR, -300, -300ER, and 777F series airplanes, certificated in any category, as identified in Boeing Alert Service Bulletin 777-34A0192, dated December 14, 2012.

**(d) Subject**

Joint Aircraft System Component (JASC) Code 34, Navigation.

**(e) Unsafe Condition**

This AD was prompted by operator reports of erratic low range radio altimeter (LRRA) operation while the airplane is airborne. We are issuing this AD to prevent adverse system responses and flight deck effects that could result in loss of controllability of the airplane or landing short of the runway during landing.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Replacement of Radio Altimeter Transceivers**

For airplanes identified in Boeing Alert Service Bulletin 777-34A0191, Revision 1, dated March 23, 2012: Within 24 months after the effective date of this AD, replace radio altimeter transceivers with upgraded units, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-34A0191, Revision 1, dated March 23, 2012.

**(h) Replacement of Radio Altimeter Antennas**

For all airplanes: Within 36 months after the effective date of this AD, replace low range radio altimeter transmit and receive

antennas with new antennas, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-34A0192, dated December 14, 2012.

**(i) Credit for Previous Actions**

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Alert Service Bulletin 777-34A0191, dated September 20, 2011, which is not incorporated by reference in this AD.

**(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the Seattle ACO, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane.

**(k) Related Information**

(1) For more information about this AD, contact Walter Cameron, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 917-6460; fax: (425) 917-6590; email: [walter.cameron@faa.gov](mailto:walter.cameron@faa.gov).

(2) Service information identified in this AD that is not incorporated by reference in this AD may be obtained at the address specified in paragraph (l)(3) of this AD.

**(l) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Alert Service Bulletin 777–34A0191, Revision 1, dated March 23, 2012.

(ii) Boeing Alert Service Bulletin 777–34A0192, dated December 14, 2012.

(3) For Boeing service information identified in this 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>.

(4) You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on February 7, 2014.

**Jeffrey E. Duven,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–04548 Filed 3–4–14; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2012–1226; Directorate Identifier 2012–NM–122–AD; Amendment 39–17741; AD 2014–03–04]

**RIN 2120–AA64**

#### Airworthiness Directives; Bombardier, Inc. Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model DHC–8–400 series airplanes. This AD was prompted by a report of a translating door handle jamming during opening of an aft door. This AD requires replacing the handle shaft with a new single-piece machined handle shaft on the aft entry and service doors, and requires revising the maintenance program by incorporating a new airworthiness limitation task. We are issuing this AD to prevent a migrated pin from jamming a translating door handle, which could prevent opening of the door and impede an emergency evacuation.

**DATES:** This AD becomes effective April 9, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of April 9, 2014.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov/#/docketDetail;D=FAA-2012-1226>; or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email [thd.qseries@aero.bombardier.com](mailto:thd.qseries@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

#### FOR FURTHER INFORMATION CONTACT:

Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone (516) 228–7318; fax (516) 794–5531.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc. Model DHC–8–400 series airplanes. The NPRM was published in the **Federal Register** on December 13, 2012 (77 FR 74126). The NPRM was prompted by a report of a translating door handle jamming during opening of an aft door. The NPRM proposed to require replacing the handle shaft with a new single-piece machined handle shaft on the aft entry and service doors, and requires revising the maintenance program by incorporating a new airworthiness limitation task. We are issuing this AD to prevent a migrated pin from jamming a translating door handle, which could prevent opening of the door and impede an emergency evacuation.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2012–17, dated May 24, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition

for the specified products. The MCAI states:

There was one reported case of the translating door handle jamming on opening. It was found that the pin on the existing handle shaft could migrate and cause the translating door handle to jam. A jammed translating door handle could prevent the opening of the door and impede evacuation in the event of an emergency.

This [Canadian] AD mandates the installation of the single piece machined handle shaft (ModSum 4–113687) on the aft entry door and the aft service door, as well as the incorporation of the new Airworthiness Limitation (AWL) tasks introduced as a result of this ModSum.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#/documentDetail;D=FAA-2012-1226-0002>.

#### Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal (77 FR 74126, December 13, 2012) and the FAA’s response to each comment.

#### Request for Optional Compliance Method

Horizon Air requested that the NPRM (77 FR 74126, December 13, 2012) be revised to account for handle shafts that might have been replaced with the single-piece machined handle shaft through attrition. Horizon Air stated that the illustrated parts catalog identifies the single-piece handle shaft as an acceptable replacement part number, and that operators might have used that single-piece handle shaft as a replacement but without using the steps specified in Bombardier Service Bulletin 84–52–66, Revision A, dated October 24, 2011.

We agree to revise this final rule. We have redesignated paragraph (i) of the NPRM (77 FR 74126, December 13, 2012) as paragraph (i)(1) in this final rule and added paragraph (i)(2) to provide credit for installing single-piece machined handle shafts with certain part numbers by attrition (for example, replacing the handle shaft during maintenance actions) before the effective date of this final rule. Operators can provide a maintenance record of this action to show compliance with this final rule.

#### Request To Clarify Compliance Time

Horizon Air requested that the FAA state how the repetitive 25,000-flight-hour interval specified in the tasks required by paragraph (h)(1) of the NPRM (77 FR 74126, December 13, 2012) should be applied. Horizon Air