

for the months of April 1983 through July 1983 the following provisions of the order do not tend to effectuate the declared policy of the Act:

1. In § 1139.13(d)(2), the sentence "The total quantity of milk so diverted may not exceed 30 percent in the months of March through July and 20 percent in other months of the producer milk which the association causes to be delivered to pool plants during the month".

2. In § 1139.13(d)(3), the sentence "The total quantity of milk so diverted may not exceed 30 percent in the months of March through July and 20 percent in other months of the milk received at such pool plants from producers and for which the operator of such plant is the handler during the month".

Statement of Consideration

This action continues through July 1983 a similar suspension that has been in effect since April 1982 (47 FR 17036, 47 FR 38496, 47 FR 55201). The suspension removes the limit on the amount of producer milk that a cooperative association or other handlers may divert from pool plants to nonpool plants. The order now provides that a cooperative association may divert up to 30 percent of its total member milk received at all pool plants or diverted therefrom during the months of March through July and 20 percent during all other months. Similarly, the operator of a pool plant may divert up to 30 percent of its receipts of producer milk (for which the operator of such plant is the handler during the month) during the months of March through July and 20 percent during all other months.

A continuation of the suspension was requested by the Lake Mead Cooperative Association, which supplies a substantial part of the market's fluid milk needs and handles most of the market's reserve milk supplies. The basis for the cooperative's request is a continuing imbalance between the market's fluid milk requirements and the milk supplies available from producers. The same marketing conditions that prompted the previous suspension request are expected to prevail for the immediate future.

The cooperative stated that milk production continues to be heavy without a corresponding increase in sales to fluid milk outlets. Consequently, the cooperative expects its reserve milk supplies during the next few months to exceed the quantity of producer milk that may be diverted to nonpool manufacturing plants under the order's present diversion limitations. Unless the suspension is continued, the cooperative asserts that some of the milk of its member producers who have regularly

supplied the fluid market would have to be moved uneconomically first to pool plants and then to nonpool manufacturing plants in order to continue producer status for such milk.

The cooperative association requested continuation of the current suspension until a more permanent regulatory solution to the supply-demand imbalance in the market could be formulated based on the record of a public hearing. The cooperative association has filed proposed amendments to the order that would accommodate present marketing conditions. It is expected that a hearing will be held in the near future on these as well as other proposals to amend the order.

Based on available information concerning the market's current supply conditions, a continuation of the suspension for the months of April through July 1983 is warranted, as it will accommodate the pooling and efficient handling of the proponent cooperative's reserve milk supplies pending a hearing at which proposals to amend the diversion provisions may be considered. In the absence of continuing the suspension, costly and inefficient movements of producer milk would have to be made solely for the purpose of pooling the milk of dairy farmers who have been regularly associated with the market. Continuation of the suspension for the next several months will provide the necessary flexibility in the handling of the market's reserve milk supplies and thus prevent uneconomic movements of some milk through pool plants merely for the purpose of qualifying it for producer milk status under the order.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) The suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that the most efficient method of handling milk not needed for the fluid market is by direct movements from producers' farms to manufacturing outlets. This suspension allows for such economic movements of milk while the dairy farmers involved retain producer status;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to comment. No opposing views were received.

Therefore, good cause exists for making this order effective upon publication in the Federal Register.

List of Subjects in 7 CFR Part 1139

Milk marketing orders, Milk, Dairy products.

It is therefore ordered, That the aforesaid provisions in § 1139.(d)(2) and (3) of the order are hereby suspended for April 1983 through July 1983.

(Secs 1-19, 48 Stat. 31, as amended, 7 U. S. C. 601-674)

Effective date: April 14, 1983.

Signed at Washington, D.C., on April 8, 1983.

C. W. McMillan,

Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 83-9621 Filed 4-13-83; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 82

[Docket No. 83-047]

Exotic Newcastle Disease; Areas Quarantined

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document quarantines a portion of Sonoma County and a portion of Santa Clara County in California because of the existence of exotic Newcastle disease. Exotic Newcastle disease was confirmed in such portions of Sonoma County and Santa Clara County on April 5, 1983. Therefore, in order to prevent the dissemination of exotic Newcastle disease, it is necessary to take this action.

EFFECTIVE DATE: April 11, 1983.

FOR FURTHER INFORMATION CONTACT: W. W. Buisch, Chief, National Emergency Field Operations, Emergency Programs, Veterinary Services, USDA, Federal Building, Room 748, Hyattsville, MD 20782, 301-436-8073.

SUPPLEMENTARY INFORMATION: Exotic Newcastle disease is a communicable viral disease affecting all species of poultry and birds. This disease was diagnosed on a premises in Sonoma County and a premises in Santa Clara County on April 5, 1983.

This document on an emergency basis amends 9 CFR Part 82 by quarantining those portions of Sonoma County and Santa Clara County, California, where the disease was diagnosed. Therefore, the restrictions pertaining to the

interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles, from the areas quarantined, as contained in 9 CFR Part 82, as amended, will apply to the quarantined areas.

Executive Order 12291 and Emergency Action

This final action has been reviewed in accordance with Executive Order 12291 and has been determined to be not a "major rule." The Department has determined that this rule will have an annual effect on the economy of less than \$100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have any significant adverse effects on competition, employment, investment, productivity, or innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Management and Budget has waived their review process required by Executive Order 12291.

Dr. E. C. Sharman, Assistant Deputy Administrator, Animal Health Programs, APHIS, VS, USDA, has determined that the emergency nature of this interim rule warrants publication without opportunity for public comment. This amendment is necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry and birds, and must be made effective immediately to accomplish its purpose in the public interest.

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this final rule are impracticable and contrary to the public interest and good cause is found for making this final rule effective less than 30 days after publication of this document in the Federal Register.

Certification Under the Regulatory Flexibility Act

James O. Lee, Jr., Acting Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because the quarantine imposed due to the existence of exotic Newcastle disease affects only two premises.

List of Subjects in 9 CFR Part 82

Animal diseases, Poultry and Poultry Products, Quarantine, Transportation, Exotic Newcastle disease.

PART 82—[AMENDED]

Accordingly, 9 CFR Part 82 is amended as follows:

In § 82.3 new paragraph (c)(2) is added to read:

§ 82.3 Imposition and removal of quarantine.

* * * * *

(c) * * *

(2) *California.* (i) The premises of Mendocino Bird Farm, 5355 Hall Road, Santa Rosa, Sonoma County.

(ii) The premises at 229 East St. Johns Street, San Jose, Santa Clara County.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; [21 U.S.C. 111-113, 115, 117, 120, 123-126, 134b, 134f]; 7 CFR 2.17, 2.51, 371.2(d))

Done at Washington, D.C., this 11th day of April, 1983.

K. R. Hook,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 83-0697 Filed 4-13-83; 8:45 am]

BILLING CODE 3410-34-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 40, and 70

Regional Licensing Program; Further Implementation

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The NRC is amending its regulations concerning the domestic licensing of source, byproduct, and special nuclear material (hereafter referred to as nuclear materials) to provide information about the expansion of NRC's decentralized licensing program. The amendment expands the program for materials licensees from Region I and III to include Regions II, IV, and V. Publication of the amendment is to inform present or prospective licensees of current NRC practice and organization.

EFFECTIVE DATE: April 1, 1983.

FOR FURTHER INFORMATION CONTACT: Vandy L. Miller, Chief, Material Licensing Branch.

ADDRESS: Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone: (301) 427-4002.

SUPPLEMENTARY INFORMATION: On May 27, 1982, the Nuclear Regulatory Commission (NRC) amended its rules on the domestic licensing of nuclear materials to decentralize part of its licensing program (47 CFR 23138). The NRC is again amending its regulations concerning the domestic licensing of materials to expand decentralization of the licensing program. The revised provisions in §§ 30.6, 40.5, and 70.5 specify that inquiries concerning NRC regulations in 10 CFR Parts 30, 33, 35, 40, and 70, and applications for certain types of licenses, license renewals, and revisions be sent to the appropriate regional office, rather than NRC headquarters offices. These amendments do not apply to Agreement States and Federal facilities, but do apply to all other licensees and applicants in non-Agreement States and the District of Columbia. Delegations of authority to the Regional Administrators are contained in NRC Manual Chapter 0128. The changes to §§ 30.6, 40.5, and 70.5 are nonsubstantive amendments. The revised sections indicate the type of licensing authority delegated to Regional Administrators and the addresses for NRC regional offices. Since these are minor procedural amendments, the notice and comment procedures of the Administrative Procedure Act (5 U.S.C. 553) do not apply.

Paperwork Reduction Act Statement

This final rule contains no new requirement for recordkeeping, reporting, application, or any other type of information collection and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, et seq.).

List of Subjects in 10 CFR Parts 30, 40, and 70

Nuclear power plants, Nuclear materials.

Under the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the following amendments to 10 CFR Parts 30, 40, and 70 are published as a document subject to codification.

The authority citation for this document is:

Authority: Sec. 161, Pub. L. 83-703, 68 Stat. 948, as amended (42 U.S.C. 2201); Sec. 201, Pub. L. 93-438, 88 Stat. 1242, as amended (42 U.S.C. 5841).

PART 30—RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL

1. Section 30.6 is revised to read as follows:

§ 30.6 Communications.

(a) Unless otherwise specified or covered under the regional licensing program as provided in paragraph (b) of this section, any communication or report concerning the regulations in Parts 30 through 35 of this chapter and any application filed under these regulations may be submitted to the Commission as follows:

(1) By mail addressed to: Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(2) By delivery in person to the Commission's offices to the Director, Office of Nuclear Material Safety and Safeguards at:

(i) 1717 H Street, N.W., Washington, D.C.; or

(ii) 7915 Eastern Avenue, Willste Building, Silver Spring, Maryland.

(b) The Commission has delegated to the five Regional Administrators licensing authority for selected parts of its decentralized licensing program for nuclear materials as described in paragraph (b)(1) of this section. Any communication, report, or application covered under this licensing program must be submitted as specified in paragraph (b)(2) of this section.

(1) The delegated licensing program includes authority to issue, renew, amend, cancel, modify, suspend, and revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30, 33, 35, 40, and 70 to all persons (except Federal agencies) for academic, medical, and industrial uses, with the following exceptions:

- (i) Irradiators.
- (ii) Cardiac pacemakers.
- (iii) Medical teletherapy units.
- (iv) Well logging.
- (v) Manufacturing or distribution of nuclear materials or products containing nuclear materials.
- (vi) Activities in the fuel cycle and special nuclear material in quantities sufficient to constitute a critical mass in any room or area. This exception does not apply to license modifications relating to termination of special nuclear material licenses that authorize possession of larger quantities when the case is referred for action from NRC's headquarters to the Regional Administrators.

(vii) Health and safety design review of sealed sources and devices, and

approval, for licensing purposes, of sealed sources and devices.

(viii) Industrial radiography.

(ix) Commercial nuclear laundries.

(x) Processing for extraction of other elements (zirconium, hafnium, or rare earths).

(xi) Commercial low-level waste receipt and/or packaging.

(2) *Submissions.* (i) *Region I.* With the exception of Federal facilities, the regional licensing program involves the following Region I non-Agreement States and the District of Columbia: Connecticut, Delaware, Maine, Massachusetts, New Jersey, Pennsylvania, and Vermont. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region I, Nuclear Material Section B, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

(ii) *Region II.* With the exception of Federal facilities, the regional licensing program involves the following Region II non-Agreement States and territories: Virginia, West Virginia, Puerto Rico, and the Virgin Islands. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region II, Material Radiation Protection Section, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30303.

(iii) *Region III.* With the exception of Federal facilities, the regional licensing program involves the following Region III non-Agreement States: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region III, Material Licensing Section, 799 Roosevelt Road, Glen Ellyn, Illinois 60137.

(iv) *Region IV.* With the exception of Federal facilities, the regional licensing program involves the following Region IV non-Agreement States: Montana, Oklahoma, South Dakota, Utah, and Wyoming. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region IV, Material Radiation Protection

Section, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.

(v) *Region V.* With the exception of Federal facilities, the regional licensing program involves the following Region V non-Agreement States and a territory: Alaska, Hawaii, and Guam. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region V, Material Radiation Protection Section, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

2. Section 40.5 is revised to read as follows:

§ 40.5 Communications.

(a) Unless otherwise specified or covered under the regional licensing program as provided in paragraph (b) of this section, any communication or report concerning the regulations in this part and any application filed under these regulations may be submitted to the Commission as follows:

(1) By mail addressed to: Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(2) By delivery in person to the Commission's offices to the Director, Office of Nuclear Material Safety and Safeguards at:

(i) 1717 H Street, N.W., Washington, D.C.; or

(ii) 7915 Eastern Avenue, Willste Building, Silver Spring, Maryland.

(b) The Commission has delegated to the five Regional Administrators licensing authority for selected parts of its regional licensing program for nuclear materials as described in paragraph (b)(1) of this section. Any communication, report, or application covered under this licensing program must be submitted as specified in paragraph (b)(2) of this section.

(1) The delegated licensing program includes authority to issue, renew, amend, cancel, modify, suspend, and revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30, 33, 35, 40 and 70 to all persons (except Federal agencies) for academic, medical, and industrial uses, with the following exceptions:

- (i) Irradiators.
- (ii) Cardiac pacemakers.
- (iii) Medical teletherapy units.
- (iv) Well logging.

(v) Manufacturing or distribution of nuclear materials or products containing nuclear materials.

(vi) Activities in the fuel cycle and special nuclear material in quantities sufficient to constitute a critical mass in any room or area. This exception does not apply to license modifications relating to termination of special nuclear material licenses that authorize possession of larger quantities when the case is referred for action from NRC's headquarters to the Regional Administrators.

(vii) Health and safety design review of sealed sources and devices, and approval, for licensing purposes, of sealed sources and devices.

(viii) Industrial radiography.

(ix) Commercial nuclear laundries.

(x) Processing for extraction of other elements (zirconium, hafnium, or rare earths).

(xi) Commercial low-level waste receipt and/or packaging.

(2) *Submissions.* (i) *Region I.* With the exception of Federal facilities, the regional licensing program involves the following Region I non-Agreement States and the District of Columbia: Connecticut, Delaware, Maine, Massachusetts, New Jersey, Pennsylvania, and Vermont. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region I, Nuclear Material Section B, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

(ii) *Region II.* With the exception of Federal facilities, the regional licensing program involves the following Region II non-Agreement States and territories: Virginia, West Virginia, Puerto Rico, and the Virgin Islands. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region II, Material Radiation Protection Section, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30303.

(iii) *Region III.* With the exception of Federal facilities, the regional licensing program involves the following Region III non-Agreement States: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. All inquiries, communications and applications for a new license or an amendment or renewal of an existing

license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region III, Material Licensing Section, 799 Roosevelt Road, Glen Ellyn, Illinois 60137.

(iv) *Region IV.* With the exception of Federal facilities, the regional licensing program involves the following Region IV non-Agreement States: Montana, Oklahoma, South Dakota, Utah, and Wyoming. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region IV, Material Radiation Protection Section, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.

(v) *Region V.* With the exception of Federal facilities, the regional licensing program involves the following Region V non-Agreement States and a territory: Alaska, Hawaii, and Guam. All inquiries, communications and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region V, Material Radiation Protection Section, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

3. Section 70.5 is revised to read as follows:

§ 70.5 Communications.

(a) Unless otherwise specified or covered under the regional licensing program as provided in paragraph (b) of this section, any communication or report concerning the regulations in this part and any application filed under these regulations may be submitted to the Commission as follows:

(1) By mail addressed to: Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(2) By delivery in person to the Commission's offices to the Director, Office of Nuclear Material Safety and Safeguards at:

(i) 1717 H Street, N.W., Washington, D.C.; or

(ii) 7915 Eastern Avenue, Willste Building, Silver Spring, Maryland.

(b) The Commission has delegated to the five Regional Administrators

licensing authority for selected parts of its regional licensing program for nuclear materials as described in paragraph (b)(1) of this section. Any communication, report, or application covered under this licensing program must be submitted as specified in paragraph (b)(2) of this section.

(1) The delegated licensing program includes authority to issue, renew, amend, cancel, modify, suspend, and revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30, 33, 35, 40 and 70 to all persons (except Federal agencies) for academic, medical, and industrial uses, with the following exceptions:

(i) Irradiators.

(ii) Cardiac pacemakers.

(iii) Medical teletherapy units.

(iv) Well logging.

(v) Manufacturing or distribution of nuclear materials or products containing nuclear materials.

(vi) Activities in the fuel cycle and special nuclear material in quantities sufficient to constitute a critical mass in any room or area. This exception does not apply to license modifications relating to termination of special nuclear material licenses that authorize possession of larger quantities when the case is referred for action from NRC's headquarters to the Regional Administrators.

(vii) Health and safety design review of sealed sources and devices, and approval, for licensing purposes, of sealed sources and devices.

(viii) Industrial radiography.

(ix) Commercial nuclear laundries.

(x) Processing for extraction of other elements (zirconium, hafnium, or rare earths).

(xi) Commercial low-level waste receipt and/or packaging.

(2) *Submissions.* (i) *Region I.* With the exception of Federal facilities, the regional licensing program involves the following Region I non-Agreement States and the District of Columbia: Connecticut, Delaware, Maine, Massachusetts, New Jersey, Pennsylvania, and Vermont. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region I, Nuclear Material Section B, 631 Park Avenue, King of Prussia, Pennsylvania 19406.

(ii) *Region II.* With the exception of Federal facilities, the regional licensing

program involves the following Region II non-Agreement States and territories: Virginia, West Virginia, Puerto Rico, and the Virgin Islands. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region II, Material Radiation Protection Section, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30303.

(iii) *Region III.* With the exception of Federal facilities, the regional licensing program involves the following Region III non-Agreement States: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region III, Material Licensing Section, 799 Roosevelt Road, Glen Ellyn, Illinois 60137.

(iv) *Region IV.* With the exception of Federal facilities, the regional licensing program involves the following Region IV non-Agreement States: Montana, Oklahoma, South Dakota, Utah, and Wyoming. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region IV, Material Radiation Protection Section, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.

(v) *Region V.* With the exception of Federal facilities, the regional licensing program involves the following Region V non-Agreement States and a territory: Alaska, Hawaii, and Guam. All inquiries, communications, and applications for a new license or an amendment or renewal of an existing license specified in paragraph (b)(1) of this section must be sent to: U.S. Nuclear Regulatory Commission, Region V, Material Radiation Protection Section, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596.

Dated at Bethesda, Md., this 31st day of March 1983.

For the Nuclear Regulatory Commission,

William J. Dircks,
Executive Director for Operations.

[FR Doc. 83-9925 Filed 4-13-83; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 83-CE-38-AD; Amdt. 39-4626]

Airworthiness Directives; Aeronautica Macchi S.p.A. Model AL60 and AL60-B Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), applicable to Aeronautica Macchi S.p.A. Model AL60 and AL60-B airplanes which requires visual inspection of the engine mount structure front left hand (L.H.) brace for dents caused by possible contact with the engine exhaust manifold and pipe, and repair if necessary. Repeated contact by an improperly located exhaust pipe attach collar can dent the engine mount front L.H. strut and weaken it seriously. This AD will assure inspection and repair of the engine mount dents due to contact with engine exhaust system and relocation of the exhaust system to preclude damage to the engine mount structure.

DATES: Effective Date: April 14, 1983.
Compliance: As prescribed in the body of the AD.

ADDRESSES: Aeronautica Macchi S.p.A. Service Bulletin No. SB-L-0005, Revision 1, dated September 26, 1978, applicable to this AD may be obtained from Aeronautica Macchi S.p.A., Via Sanvito Silvestro, 80, 21100 Varese, Italy. A copy of this information is also contained in the Rules Docket, FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. A. Astorga, Aircraft Certification Staff, AEU-100, Europe, Africa and Middle East Office, FAA, c/o American Embassy, 1000 Brussels, Belgium, Telephone 513.38.30; or Mr. Larry Werth, Foreign FAR-23 Section, ACE-109, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-6932.

SUPPLEMENTARY INFORMATION: Aeronautica Macchi S.p.A. has determined that a condition may exist wherein an improperly installed exhaust pipe can vibrate against the front L.H. brace of the engine mount and dent it enough to create a hazard on its Model AL60 and AL60-B airplanes. As a result, Aeronautica Macchi S.p.A. has issued Aer Macchi Service Bulletin No. SB-L-0005, Revision 1, dated September 26, 1978, which recommends visual

inspection of the engine mount front L.H. brace for dents produced by possible contact with the exhaust pipe/manifold connecting collar, and repair if necessary. The Registro Aeronautico Italiano (RAI) who has responsibility and authority to maintain the continuing airworthiness of these airplanes in Italy has classified this Service Bulletin and the actions recommended therein by the manufacturer as mandatory to assure the continued airworthiness of the affected airplanes. On airplanes operated under Italian registration, this action has the same effect as an AD on airplanes certified for operation in the United States. The FAA relies upon the certification of the RAI combined with FAA review of pertinent documentation in finding compliance of the design of these airplanes with the applicable United States airworthiness requirements and the airworthiness and conformity of products of this design certificated for operation in the United States.

The FAA has examined the available information related to the issuance of Aer Macchi Service Bulletin No. SB-L-0005, Revision 1, dated September 26, 1978, and the mandatory classification of this Service Bulletin by the RAI.

Based on the foregoing, the FAA has determined that the condition addressed by this Service Bulletin is an unsafe condition that may exist on other products of the same type design certificated for operation in the United States. Therefore, an AD is being issued requiring visual inspection of the engine mount front L.H. brace for dents caused by contact with engine exhaust system and repair, if necessary, in accordance with Aer Macchi Service Bulletin No. SB-L-0005 on Aeronautica Macchi Model AL60 and AL60-B airplanes. Because an emergency condition exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impractical and contrary to the public interest, and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.
Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new AD.

AERONAUTICA MACCHI S.P.A.: Applies to Model AL60 and AL60-B airplanes certificated in any category.

Compliance: Required as indicated, unless already accomplished.