PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

3. The authority citation for Part 40 is revised to read as follows:

Authority: Secs. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 11e(2), 83, 84, Pub. L. 95–604, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended [42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2236, 2282]; sec. 274, Pub. L. 86–373, 73 Stat. 688 [42 U.S.C. 2021]; secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 [42 U.S.C. 5841, 5842, 5846]; sec. 275, 92 Stat. 3021, as amended by Pub. L. 97–415, 96 Stat. 2067 [42 U.S.C. 2022].

Section 40.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 [42 U.S.C. 5851]. Section 40.31(g) also issued under sec. 122, 68 Stat. 939 [42 U.S.C. 2152]. Section 4046 also issued under sec. 184, 68 Stat. 954, as amended [42 U.S.C. 2234]. Section 40.71 also issued under sec. 187, 68 Stat. 955 [42 U.S.C. 2237].

For the purposes of sec. 223, 68 Stat. 958, as amended [42 U.S.C. 2273]; §§ 40.3, 40.25(d)(1)–(3), 40.35(a)–(d), 40.41 (b) and (c), 40.46, 40.51 (a) and (c), and 40.63 are issued under sec. 161b, 68 Stat. 948, as amended [42 U.S.C. 2201(b)]; and §§ 40.5, 40.25 (c), (d) (3), and (4), 40.26(c)(2), 40.35(e), 40.42, 40.61, 40.62, 40.64, and 40.65 are issued under sec. 161o, 68 Stat. 950, as amended [42 U.S.C. 2201(o)].

4. In § 40.5, paragraphs (b)(2) (i), (ii), (iii), (iv), and (v) are amended by changing the phrase, "With the exception of the United States Air Force and Navy . . . ." to read "With the exception of the United States Navy . . . ." Also, the introductory text of paragraph (b) and paragraph (b)(1) are revised to read as follows:

§ 40.5 Communications.

* * * * *

(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, or revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30 through 35, 40, and 70 to all persons except the United States Navy for academic, medical, and industrial uses, with the following exceptions:

(i) 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.

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

(iii) Processing of source material for extracting of metallic compounds (including Zirconium, Hafnium, Tantalum, Titanium, Niobium, etc.).

(iv) distribution of products containing radioactive material to persons exempt pursuant 10 CFR 32.11 through 32.26.

(v) New uses or techniques for use of byproduct, source, or special nuclear material.

* * * * *

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

5. The authority citation for Part 70 is revised to read as follows:

Authority: Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended [42 U.S.C. 2071, 2073, 2201, 2232, 2282]; secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 [42 U.S.C. 5841, 5842, 5845, 5846].

Section 70.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 [42 U.S.C. 5851]. Section 70.21(g) also issued under sec. 122, 68 Stat. 939 [42 U.S.C. 2152]. Section 70.31 also issued under sec. 57d, Pub. L. 93–377, 88 Stat. 475 [42 U.S.C. 2077]. Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended [42 U.S.C. 2234]. Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 [42 U.S.C. 2236, 2237]. Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended [42 U.S.C. 2138].

For the purposes of sec. 223, 68 Stat. 958, as amended [42 U.S.C. 2273]; §§ 70.3, 70.19(c), 70.21(c), 70.22 (a), (b), (d)–(k), 70.24 (a) and (b), 70.32 (a) (3), (5), (6), (d), and (i), 70.36, 70.39 (b) and (c), 70.41(a), 70.42 (a) and (c), 70.56, 70.57 (b), (c), and (d), 70.58 (a)–(g)(3), and (h)–(j) are issued under sec. 161b, 68 Stat. 948, as amended 42 U.S.C. 2201(b)]; §§ 70.7, 70.20a (a) and (d), 70.20b (c) and (e), 70.21(c), 70.24(b), 70.32 (a)(6), (c), (d), (e), and (g), 70.36, 70.51 (c)–(g), 70.56, 70.57 (b) and (d), and 70.58 (a)–(g)(3) and (h)–(j) are issued under sec. 161i, 68 Stat. 949, as amended [42 U.S.C. 2201(i)]; and §§ 70.5, 70.20b (d) and (e), 70.38, 70.51 (b) and (i), 70.52, 70.53, 70.54, 70.55, 70.58 (g)(4), (k), and (l), 70.59, and 70.60 (b) and (c) are issued under sec. 161o, 68 Stat. 950, as amended [42 U.S.C. 2201(o)].

6. In § 70.5, paragraphs (b)(2) (i), (ii), (iii), (iv), and (v) are amended by changing the phrase, "With the exception of the United States Air Force and Navy . . . ." to read "With the exception of the United States Navy . . . ." Also, the introductory text of paragraph (b) and paragraph (b)(1) are revised to read as follows:

§ 70.5 Communications.

* * * * *

(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, or revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30 through 35, 40, and 70 to all persons except the United States Navy for academic, medical, and industrial uses, with the following exceptions:

(i) 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.

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

(iii) Processing of source material for extracting of metallic compounds (including Zirconium, Hafnium, Tantalum, Titanium, Niobium, etc.).

(iv) Distribution of products containing radioactive material to persons exempt pursuant 10 CFR 32.11 through 32.26.

(v) New uses or techniques for use of byproduct, source, or special nuclear material.

* * * * *

Dated at Bethesda, MD, this 26th day of September, 1986.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Executive Director for Operations.

[FR Doc. 86–22840 Filed 10–7–86; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 86-NM-114-AD; Amdt. 39-5439]

Airworthiness Directives; Boeing Model 707/720 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends an existing airworthiness directive (AD) applicable to Boeing Model 707/720 airplanes. The existing AD requires inspection and repair, as necessary of Significant Structural Details (SSD) as described in the manufacturer's Supplemental Structral Inspection Document (SSID). Since the issuance of the AD, the manufacturer has revised the 707/720 Supplemental Structural Inspection Document to expand the sample size and revise certain inspection thresholds; this amendment incorporates those revisions. This action is necessary to improve the information provided by the SSID program for identification and evaluation of unsafe conditions.

EFFECTIVE DATE: November 14, 1986.

ADDRESSES: The applicable service documents may be obtained upon request from the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. William Perrella Airframe Branch ANM-120S; telephone (206) 431-1922. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to amend AD 85-12-01, which requires inspection and repair, as necessary, of Significant Structural Details (SSD), as specified in the manufacturer's Supplemental Structural Inspection Document (SSID) D6-44860, Revision M, was published in the **Federal Register** on June 4, 1986 (51 FR 20304). The comment period of the proposal closed on July 28, 1986.

Interested parties have been afforded an opportunity to participate in the making of this AD. Due consideration has been given to the one comment received, which supported the proposal.

After careful review of the available data, including the one comment previously mentioned, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 18 airplanes of U.S. registry and 9 U.S. operators will be affected by this AD, that approximately 100 manhours will be required to incorporate these revisions into a typical operator's maintenance program, and that the average labor charge will be $40 per manhour. Based on these figures, the costs impact of this AD to U.S. operators is estimated to be $36,000.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because few, if any, Boeing Model 707/720 airplanes are operated by small entities. A final evaluation has been prepared for this regulation and has been placed in the regulatory docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§39.13 [Amended]

2. By amending Airworthiness Directive 85-12-01, Amendment 39-5073 (50 FR 26690; May 20, 1985), by revising paragraphs A., B., and C. to read as follows:

A. Within 180 days after the effective date of the amendment, incorporate a revision into the FAA-approved maintenance inspection program which requires accomplishment of the inspection and repairs, as necessary, of each Significant Structural Detail (SSD) as listed in Boeing Document D6-44860, Supplemental Structural Inspection Document (SSID), Revision M, or later FAA-approved revision. The revision to the maintenance program must include procedures to notify the manufacturer when SSD's are found cracked. The inspection thresholds, repetitive inspection intervals, inspection techniques, and terminating action for each SSD are listed in the SSID. Incorporate this revision to the maintenance program in accordance with paragraphs B., C., and D., below.

B. The increase of inspection intervals in accordance with Section 5.2 of Boeing Document D6-44860, Revision M, is not permitted, except as provided in paragraphs F. and G., below.

C. Inspect each Significant Structural Detail (SSD) which has exceeded the initial threshold specified in Boeing Document D6-44860, Revision M, within 180 days after the effective date of this amendment. Significant Structural Details which are below the inspection thresholds specified in Boeing Document D6-44860, Revision M, must have an initial inspection within 180 days after the effective date of this amendment or prior to reaching the threshold, whichever is later. Accomplish these inspections in accordance with Boeing Document D6-44860, Revision M, or later FAA-approved revisions.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124-2207. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective November 14, 1986.

Issued in Seattle, Washington, on October 1, 1986.

Joseph W. Harrell,

Acting Director, Northwest Mountain Region.

[FR Doc. 86-22739 Filed 10-7-86; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Docket No. 86-NM-138-AD; Amdt. 39-5437]

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) which supersedes an existing AD that requires inspection and replacement, as necessary, of the nacelle strut midspar fuse pins, on certain Boeing Model 747 series airplanes. This action is prompted by a recent investigation which revealed that the inspection techniques required by the existing AD are inadequate to find cracking on a consistent basis. This

action is necessary since a pin failure, if not corrected, could result in separation of the engine from the airplane.

EFFECTIVE DATES: November 14, 1986.

ADDRESSES: The applicable service information may be obtained from the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124–2207. It may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Owen E. Schrader, Airframe Branch, ANM–120S; telephone (206) 431–2923. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive to require inspection for, and subsequent repair of, cracked nacelle strut midspar fuse pins was published in the **Federal Register** on July 1, 1986 (51 FR 23786). The comment period for the proposal closed on August 22, 1986.

Interested parties have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment which was received.

The Air Transport Association (ATA) of America, on behalf of its members, stated that, while the proposed inspection may take only 12 to 16 manhours per airplane to accomplish, an operator cannot schedule this inspection on the assumption that all fuse pins will be found to be crack free. Pin replacement requires that the engine be removed and the pylon shored. Therefore, operators are scheduling this inspection only at their main bases, where the proper ground support and equipment is available. The ATA has requested that the compliance time be changed from 10 to 30 days so that operators will have an adequate time-1 frame to which to schedule their airplanes for the inspection at main bases. The FAA has considered this information and has determined that safety would not be compromised if the initial compliance time is changed from 10 to 30 days. The final rule has been revised to reflect this.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change noted above.

It is estimated that 155 airplanes of U.S. registry will be affected by this AD, that it will take approximately 8 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be $49,600.

For the reason discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291, or significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities because few, if any, Boeing Model 747 airplanes are operated by small entities. A final evaluation prepared for this action is contained in the regulatory docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR11.89.

2. By adding the following new airworthiness directive:

Boeing: Applies to Model 747 series airplanes, certificated in any category, listed in Boeing Service Bulletin 747–54–2063, Revision 4, dated June 6, 1986.

To prevent failure of nacelle strut midspar fuse pins, accomplish the following, unless previously accomplished:

A. Prior to the accumulation of 12,000 flight hours, or within 30 days after the effective date of this AD, whichever occurs, later, perform an ultrasonic or eddy current inspection for cracks in the fuse pins in accordance with Boeing Service Bulletin 747–54–2063, Revision 4, dated June 6, 1986, or later FAA-approved revisions.

B. Repeat the inspections required by paragraph A., above, thereafter at intervals not to exceed 2,500 flight hours until terminating action in accordance with paragraph E., below, is accomplished.

C. Replace cracked fuse pins prior to further flight in accordance with Boeing Service Bulletin 747–54–2063, Revision 4, dated June 6, 1986, or later FAA-approved revisions.

D. Coat inside surface of the pins with organic corrosion-preventive compound (BMS 3–23), or equal, after each inspection. If corrosion exists, remove in accordance with the Boeing Corrosion Prevention Manual, Document D6–41910, Part III, 747 Corrosion Control, 54–10–47.

E. Installation of the new fuse pin design configuration in accordance with Boeing Service Bulletin 747–54–2063, Revision 1, dated August 13, 1981, or later FAA-approved revision, constitutes terminating action for the requirements of this AD.

F. An alternate means of compliance or adjustment of compliance time, which provide an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

G. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

This supersedes AD 79–17–04, Amendment 39–3529, as amended by Amendments 39–4335 and 39–4973.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124–2207. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective November 14, 1986.

Issued in Seattle, Washington, on October 1, 1986.

Joseph W. Harrell,

Acting Director, Northwest Mountain Region.

[FR Doc. 86–22736 Filed 10–7–86; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 86–NM–193–AD, Amdt. 39–5440]

Airworthiness Directives; DeHavilland Aircraft Company of Canada, a Division of Boeing of Canada, Ltd., Model DHC–8–100 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends an existing airworthiness directive, applicable to DeHavilland DHC–8–101 series airplanes, which requires flight manual limitations to prohibit takeoff, landing, and climb in the vicinity of lighting and thunderstorms, and also