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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 32, 40, 50, 52, 60, 61, 70, 71, 72, 110, and 150

RIN 3150-AF35

Deliberate Misconduct by Unlicensed Persons; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a notice appearing in the **Federal Register** on January 13, 1998 (63 FR 1890). This action is necessary to correct an erroneous citation.

FOR FURTHER INFORMATION CONTACT: David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Washington, D.C. 20555-0001, telephone 301-415-7162, e-mail dlm1@nrc.gov.

SUPPLEMENTARY INFORMATION:

On page 1890, in the third column, in the 16th line from the top, "71.az" is corrected to read "71.7(a)."

Dated at Rockville, Maryland, this 17th day of March 1998.

For the Nuclear Regulatory Commission.

David L. Meyer,

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

[FR Doc. 98-7426 Filed 3-20-98; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM146; Special Conditions No. 25-136-SC]

Special Conditions: McDonnell Douglas DC-10-10,-30 Airplane; High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for McDonnell Douglas DC-10-10,-30 airplanes modified by Innovative Solutions & Support, Inc. (IS&S). These airplanes will have novel and unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the existing airworthiness standards.

DATES: The effective date of these special conditions is March 9, 1998. Comments must be received on or before May 7, 1998.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attn: Rules Docket (ANM-7), Docket No. NM146, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked: Docket No. NM146. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Greg Dunn, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; telephone (425) 227-2799; facsimile (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special

conditions effective upon issuance; however, interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the docket and special conditions number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this request must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM146." The postcard will be date stamped and returned to the commenter.

Background

On July 15, 1997, Innovative Solutions & Support, Inc. applied for a supplemental type certificate (STC) to modify McDonnell Douglas DC-10-10,-30 airplanes listed on Type Certificate A22WE. The modification incorporates the installation of a digital electronic altimeter for display of critical flight parameters (altitude) to the crew. These displays can be susceptible to disruption to both command/response signals as a result of electrical and magnetic interference. This disruption of signals could result in loss of all critical flight displays and annunciations or present misleading information to the pilot.

Type Certification Basis

Under the provisions of 14 CFR § 21.101, Innovative Solutions & Support, Inc. must show that the McDonnell Douglas DC-10-10,-30 airplane, as changed, continues to meet the applicable provisions of the regulations incorporated by reference in Type certificate No. A22WE, or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly

referred to as the "original type certification basis." The certification basis for the modified McDonnell Douglas DC-10-10,-30 airplane includes 14 CFR part 25, dated February 1, 1965, with Amendments 1 through 22 "Airworthiness Standards: Transport Category Airplanes", § 25.471 of Amendment 25-23, part 36 "Noise Standards: Aircraft Type Certification," Special Conditions No. 25-18-WE-7 dated January 7, 1970, Special Condition No. 25-18-WE-7, Amendment No. 1, dated July 9, 1971, and Special Condition No. 25-46-WE-14 dated October 26, 1972.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25, as amended) do not contain adequate or appropriate safety standards for the McDonnell Douglas DC-10-10,-30 airplane because of novel or unusual design features, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with 14 CFR § 11.49 after public notice, as required by §§ 11.28 and 11.29, and become part of the type certification basis in accordance with § 21.101(b)(2).

Special conditions are initially applicable to the model for which they are issued. Should Innovative Solutions & Support, Inc. apply at a later date for design change approval to modify any other model already included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The modified McDonnell Douglas DC-10-10,-30 will incorporate a new electronic altimeter system that performs critical functions. This system may be vulnerable to HIRF external to the airplane.

Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive electrical and electronic systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by reference, special conditions are needed for the McDonnell Douglas DC-10-10,-30, which require that new electrical

and electronic systems, such as the EFIS, that perform critical functions be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

High-Intensity Radiated Fields (HIRF)

With the trend toward increased power levels from ground-based transmitters, plus the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF.

Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1, or 2 below:

1. A minimum threat of 100 volts per meter peak electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. A threat external to the airframe of the following field strengths for the frequency ranges indicated.

| Frequency | Peak (V/M) | Average (V/M) |
|-----------------------|------------|---------------|
| 10 KHz—100 KHz | 50 | 50 |
| 100 KHz—500 KHz | 60 | 60 |
| 500 KHz—2 MHz | 70 | 70 |
| 2 MHz—30 MHz | 200 | 200 |
| 30 MHz—100 MHz | 30 | 30 |
| 100 MHz—200 MHz | 150 | 33 |
| 200 MHz—400 MHz | 70 | 70 |
| 400 MHz—700 MHz | 4,020 | 935 |
| 700 MHz—1 GHz | 1,700 | 170 |
| 1 GHz—2 GHz | 5,000 | 990 |
| 2 GHz—4 GHz | 6,680 | 840 |
| 4 GHz—6 GHz | 6,850 | 310 |
| 6 GHz—8 GHz | 3,600 | 670 |
| 8 GHz—12 GHz | 3,500 | 1,270 |
| 12 GHz—18 GHz | 3,500 | 360 |
| 18 GHz—40 GHz | 2,100 | 750 |

Applicability

As discussed above, these special conditions are applicable to McDonnell Douglas DC-10-10,-30 airplanes modified by Innovative Solutions & Support. Should Innovative Solutions &

Support, Inc. apply at a later date for design change approval to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain design features on McDonnell Douglas DC-10-10,-30 airplanes modified by Innovative Solutions & Support, Inc. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of the special conditions for this airplane has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions immediately. Therefore, these special conditions are being made effective upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for McDonnell Douglas DC-10-10,-30 airplanes modified by Innovative Solutions & Support, Inc. (IS&S).

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is

exposed to high intensity radiated fields.

For the purpose of these special conditions, the following definition applies: *Critical Functions*. Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on March 9, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.

[FR Doc. 98-7381 Filed 3-20-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-NM-176-AD; Amendment 39-10412; AD 98-06-33]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F28 Mark 1000 Through 4000 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 1000 through 4000 series airplanes, that requires replacing certain flexible hydraulic hoses that connect to the UP-port of the actuator of each main landing gear (MLG) with certain new flexible hoses that have built-in restrictor check-valves. This amendment is prompted by results of tests, which indicate that, for airplanes on which restrictor check-valves are not installed, sudden movement of the actuator of the MLG, which could occur under extreme inward sideload conditions (such as touching down at a large crab angle), may pressurize the downlock-actuator and lift the MLG toggle-links. The actions specified by this AD are intended to prevent such pressurization of the downlock-actuator and consequent lifting of the toggle-links, which could result in collapse of the MLG and reduced controllability of the airplane during landing.

DATES: Effective April 27, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 27, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 1000 through 4000 series airplanes was published in the **Federal Register** on June 10, 1997 (62 FR 31536). That action proposed to require replacing certain flexible hydraulic hoses that connect to the UP-port of the actuator of each main landing gear (MLG) with certain new flexible hoses that have built-in restrictor check-valves.

Comments

Interested persons were afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Request to Shorten Compliance Time

One commenter supports the proposed AD, but believes the compliance period should be less than 12 months. In addition, the commenter believes that, in the event the proposed compliance time cannot be changed, it would be beneficial to advise pilots operating the affected airplanes to be particularly cautious about landing with a crab angle. The commenter notes that since the proposed AD fails to define what is meant by "significant crab angle," pilots are uncertain as to whether the crab angle they choose to use is above or below the safe threshold.

The FAA does not concur with the commenter's request to shorten the compliance time. The primary concern in developing the proposed compliance time was the degree of urgency of the unsafe condition. Other practical considerations were also taken into account. Those include the availability of the required parts and the time

needed for the majority of the affected operators to install the required modification within a time interval coinciding with normal scheduled maintenance. In addition, the proposed compliance time is consistent with the parallel document issued by the airworthiness authority of the state of design of the airplane, Dutch airworthiness directive 94-095(A), dated July 15, 1995, and with the manufacturer's recommendations. A compliance time of 12 months is, therefore, adopted as proposed.

The incident that precipitated this AD action, the collapse of a main landing gear on a similar Fokker Model F28 Mark 0100 airplane, occurred due to touchdown at a relatively large "crab" angle. Following subsequent investigation, it was concluded that a failure of this nature could only occur under extreme inward side-load conditions that are rarely encountered in service. Currently, no crab angle limitations have been established for the affected airplanes. Because of considerations other than structural integrity of the main landing gear, there are, however, existing limitations concerning landing in cross winds. The FAA concludes that, since normal cross wind landing technique involves adjusting the airplane heading at touchdown as necessary to reduce or eliminate the crab angle, no further limitation or cautionary information is needed in this regard.

Request to Withdraw the Proposal

The Air Transport Association (ATA) of America, on behalf of one of its members, states that its member does not object to the proposed AD, but believes that it is unnecessary. According to the commenter, the changes that would be required were accomplished during production of each of its affected airplanes.

The FAA infers from these remarks that the commenter requests the proposed AD be withdrawn. The FAA does not concur with this request. Since this AD states that compliance is "required as indicated, unless accomplished previously," no further action would be required for any airplane that already incorporates the required change. Nevertheless, the AD must be issued because there may be other airplanes of these models in service in this country or imported into this country that have not incorporated the required change.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air