

[Quality Assurance] records, which include information on the design and contents.” However, the petitioner states that it is important to minimize the number of markings on a container, which will reduce the chances that changes will have to be made to the permanent markings on a cask. The petitioner also states, “[c]hanging permanent markings on the cask are problematic since this would require significant repair work, evaluation to verify the cask maintains conformance with the CoC, and worker dose if the cask contains used fuel.” The petitioner maintains that since this information is contained in the QA controlled records, requiring that the empty weight be permanently marked on the cask does not “provide any increase to the protection of public health and safety” and “serves no useful purpose.”

#### 6. Amend 10 CFR 72.124 To Clarify the Applicability of the Criticality Monitoring Exemptions

The petitioner requests that 10 CFR part 72, subpart F, be amended “to specify that criticality monitoring does not apply to special nuclear material in a dry storage cask being managed under a license granted pursuant to part 72, with ‘managed’ defined as cask loading, preparation, onsite transport and storage operation.” The petitioner states that “no criticality monitoring should be required as long as the cask/canister is being managed in accordance with its approved licensing and design basis as described in the Cask CoC or ISFSI license and their respective FSARs [Final Safety Analysis Reports].” In addition, the petitioner asserts that “the proposed rule change to modify 10 CFR 72.124(c), would clarify the regulations without modifying the intent” and “is consistent with NRC guidance, and other parts of the regulations.”

#### *B. Additional Regulatory Framework Improvements (Not Requested as Part of This Petition for Rulemaking)*

Separate from these rulemaking changes, the petitioner recommends eight other regulatory framework improvements. The petitioner states that these improvements are not requested as part of the petition, but believes that these other changes would provide “synergies with the improvements” requested in the petition. These recommendations include:

1. Streamlining the cask certification process.
2. Clarifying “the implementation of the general license process and activities at the interface of Part 50 and Part 72 requirements.”

3. Updating guidance for implementing 10 CFR 72.48.

4. Examining the role of cladding integrity in the regulatory framework.

5. Discussing “the potential to reinitiate a rulemaking for moderator exclusion.”

6. Discussing the “potential options for harmonization of Part 71 and Part 72 for spent fuel.”

7. Making further improvements to the inspection program.

8. Streamlining the process for “establishing and maintaining the relevant NRC guidance” and “achieving a more straight-forward regulatory framework by implementing improvements to the organization of the network of guidance documents” that exists.

#### IV. Conclusion

The NRC has determined that the petition meets the threshold sufficiency requirements for a petition for rulemaking under 10 CFR 2.802, “Petition for rulemaking,” and the petition has been docketed as PRM-72-7. The NRC is requesting public comment on the petition for rulemaking.

Dated at Rockville, Maryland, this 30th day of January 2013.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 2013-02477 Filed 2-4-13; 8:45 am]

**BILLING CODE 7590-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-1322; Directorate Identifier 2012-NM-155-AD]

RIN 2120-AA64

#### **Airworthiness Directives; DASSAULT AVIATION Airplanes**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain DASSAULT AVIATION Model MYSTERE-FALCON 900 and FALCON 900EX airplanes. This proposed AD was prompted by reports of chafing between the tail strobe power supply and a hydraulic line. This proposed AD would require modifying the tail strobe power supply wire routing. We are proposing this AD to prevent chafing between the tail strobe power supply and a hydraulic

line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail.

**DATES:** We must receive comments on this proposed AD by March 22, 2013.

**ADDRESSES:** You may send comments 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>. You may review copies of the 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>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No.

FAA–2012–1322; Directorate Identifier 2012–NM–155–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

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

### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2012–0162, dated August 29, 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:

Two reports were received concerning Falcon 900 aeroplanes, where chafing between the tail strobe power supply and a hydraulic line was found. In the latest reported occurrence, the chafing damaged the power line and created an electrical arcing which created a pin hole in the hydraulic line, leading to hydraulic fluid leakage.

This condition, if not corrected, could jeopardize the aeroplane’s safe flight.

To address this potential unsafe condition, Dassault Aviation developed modification (M5741) of the routing of the tail strobe power supply wire, which is available for accomplishment in service through Dassault Service Bulletin (SB) F900–431 or SB F900EX–437, as applicable to aeroplane model.

For the reasons described above, this [EASA] AD requires modification of the routing of the tail strobe power supply wire.

The unsafe condition is chafing between the tail strobe power supply and a hydraulic line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail. You may obtain further information by examining the MCAI in the AD docket.

### Relevant Service Information

Dassault has issued Mandatory Service Bulletin F900–431, dated November 8, 2011 (for Model MYSTERE–FALCON 900 airplanes); and Mandatory Service Bulletin F900EX–437, dated November 8, 2011 (for Model FALCON 900EX airplanes). The actions described in these service bulletins are

intended to correct the unsafe condition identified in the MCAI.

### FAA’s Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 180 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$31 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$36,180, or \$201 per product.

### 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

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

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

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

**DASSAULT AVIATION:** Docket No. FAA–2012–1322; Directorate Identifier 2012–NM–155–AD.

#### (a) Comments Due Date

We must receive comments by March 22, 2013.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to the airplanes specified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) DASSAULT AVIATION Model MYSTERE–FALCON 900 airplanes, serial numbers (S/N) 142 and subsequent.

(2) DASSAULT AVIATION Model FALCON 900EX airplanes, all serial numbers

except those on which Dassault Aviation modification M5741 has been embodied in production.

**(d) Subject**

Air Transport Association (ATA) of America Code 24, Electrical Power.

**(e) Reason**

This AD was prompted by reports of chafing between the tail strobe power supply and a hydraulic line. We are issuing this AD to prevent chafing between the tail strobe power supply and a hydraulic line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail.

**(f) Compliance**

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**(g) Actions**

Within 65 days or 200 flight hours after the effective date of this AD, whichever occurs first: Modify the tail strobe power supply wire routing, in accordance with the Accomplishment Instructions of Dassault Mandatory Service Bulletin F900-431, dated November 8, 2011 (for Model MYSTERE-FALCON 900 airplanes); or Dassault Mandatory Service Bulletin F900EX-437, dated November 8, 2011 (for FALCON 900EX airplanes).

**(h) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

**(i) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2012-0162, dated August 29, 2012, and the service information specified in paragraphs (j)(1)(i) and (j)(1)(ii) of this AD, for related information.

(i) Dassault Mandatory Service Bulletin F900-431, dated November 8, 2011.

(ii) Dassault Mandatory Service Bulletin F900EX-437, dated November 8, 2011.

(2) For service information identified in this AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>. You may review copies of the 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.

Issued in Renton, Washington, on January 28, 2013.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2013-02450 Filed 2-4-13; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2012-1321; Directorate Identifier 2011-NM-147-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Airplanes**

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

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

**SUMMARY:** We propose to supersede an existing airworthiness directive (AD) that applies to certain Airbus Model A310 series airplanes. The existing AD currently requires repetitive inspections for fatigue cracking of the area around the fasteners of the landing plate of the aileron access doors of the bottom skin panel of the wings, and related corrective action. The existing AD provides for an optional terminating action, which ends the repetitive inspections. Since we issued that AD, a reassessment of the previous fatigue threshold and inspection interval resulted in a determination that reduced inspection thresholds and intervals for accomplishment of the tasks are necessary. This proposed AD would reduce the initial inspection compliance time and intervals and provide additional terminating action options.

We are proposing this AD to detect and correct fatigue cracking of the area around the fasteners of the landing plate of the aileron access doors and the bottom skin panel of the wings, which could result in reduced structural integrity of the wings.

**DATES:** We must receive comments on this proposed AD by March 22, 2013.

**ADDRESSES:** You may send comments 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus SAS—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may review copies of the 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**

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**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about