

guidance and definitions used in reporting PI information are adjusted from time to time based on experience. In the future, changing a rule and/or regulatory guide might be more difficult, use greater resources, and consume more time than changing the voluntary program.

(4) *Reducing Unnecessary Regulatory Burden:* The requested rulemaking would not affect the regulatory burden on licensees because the PI information needed for the ROP is already being provided on a voluntary basis by all licensees.

#### Reasons for Denial

The Commission is denying the petition based on this evaluation. Currently, licensees are submitting the PI information needed for the ROP on a voluntary basis. The current voluntary program meets the NRC's regulatory needs. If circumstances change in the future (for example, if licensees decide to stop submitting the information voluntarily) the NRC can reevaluate its position on whether a rulemaking or other regulatory action is necessary at that time. The requested rulemaking might enhance public confidence to some degree by making the NRC appear more authoritative in the view of some individuals. However, it would consume resources to develop a rulemaking to codify the current practice, even though the current voluntary program meets the NRC's regulatory needs. Furthermore, if the current practice were codified, any future changes in the definitions or guidance for reporting PI information might be more difficult, use greater resources, and consume more time, as compared with changing a voluntary program.

For these reasons, the Commission denies the petition.

Dated at Rockville, Maryland, this 13th day of September, 2002.

For the Nuclear Regulatory Commission.

**Annette Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 02-23812 Filed 9-18-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NE-48-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Hartzell Propeller Inc., Model HC-C2YR-4CF Propellers**

**AGENCY:** Federal Aviation Administration, DOT.

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

**SUMMARY:** The Federal Aviation Administration (FAA) proposes to adopt a new airworthiness directive (AD) that is applicable to Hartzell Propeller Inc. model HC-C2YR-4CF propellers. This proposal would require the reduction of the original hub and blades certified service (fatigue) life from unlimited hours to 2,000 hours. This proposal is prompted by a reevaluation by Hartzell Propeller Inc. of the original hub and blades service life certification calculations. The actions specified by the proposed AD are intended to prevent fatigue failure of the original propeller hub and blades which may result in loss of airplane control.

**DATES:** Comments must be received by October 21, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-NE-48-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location, by appointment, between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Comments may also be sent via the Internet using the following address: "9-ane-adcomment@faa.gov". Comments sent via the Internet must contain the docket number in the subject line. The service information referenced in the proposed rule may be obtained from Hartzell Propeller Inc., Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778-4200; fax (937) 778-4391. This information may be examined, by appointment, at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

**FOR FURTHER INFORMATION CONTACT:** Tomaso DiPaolo, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL

60018, telephone (847) 294-7031; fax (847) 294-7834.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2001-NE-48-AD." The postcard will be date stamped and returned to the commenter.

##### **Availability of NPRM's**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Regional Counsel, Attention:

Rules Docket No. 2001-NE-48-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

##### **Discussion**

The FAA and Hartzell Propeller Inc. have received reports of several engine crankshaft failures on Sky International Inc. (Pitts) S-2S and S-2B airplanes, which are manufactured by Aviat Aircraft Inc. of Afton, WY. Hartzell Propeller Inc. reevaluated the service (fatigue) life of the original propeller hubs part number (P/N) D-6522-1 or D-2201-16 and blades P/N FC8477A-4 installed in the model HC-C2YR-4CF propellers. Hartzell has reduced the certified service (fatigue) life of these original propeller hubs and blades from unlimited hours to 2,000 hours. Exceeding these life limits could result in fatigue failure of the hubs or blades

which may result in loss of airplane control. The 2,000-hour life limit is documented in the Airworthiness Limitations section of Hartzell Manual 113B.

### FAA's Determination of an Unsafe Condition and Proposed Actions

Since an unsafe condition has been identified that is likely to exist or develop on other Hartzell Propeller Inc. model HC-C2YR-4CF propellers of the same type design, the proposed AD would require the reduction of the propeller hubs P/N D-6522-1 or D-2201-16 and blades P/N FC8477A-4 certified service (fatigue) life from unlimited hours to 2,000 hours.

### Economic Analysis

There are approximately 377 propellers of the affected design in the worldwide fleet. The FAA estimates that 300 propellers installed on airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per propeller to do the proposed actions, and that the average labor rate is \$60 per work hour. The approximate cost of a new hub and blades is \$9,000. Based on these figures, the total cost of the proposed AD on U.S. operators is estimated to be \$2,808,000.

### Regulatory Analysis

This proposed rule does not have federalism implications, as defined in Executive Order 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this proposed rule.

For the reasons discussed above, I certify that 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); and (3) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

**Hartzell Propeller Inc.:** Docket No. 2001-NE-48-AD.

#### Applicability

This airworthiness directive (AD) is applicable to Hartzell Propeller Inc. model HC-C2YR-4CF propellers with propeller hubs part number (P/N) D-6522-1 or D-2201-16 and propeller blades P/N FC8477A-4, installed on Sky International Inc. (Pitts) S-2S and S-2B airplanes with Textron Lycoming model AEIO-540-D4A5 engines.

**Note 1:** This AD applies to each propeller identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For propellers that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

#### Compliance

Compliance with this AD is required as indicated, unless already done.

To prevent fatigue failure of Hartzell propeller hubs P/N D-6522-1 or D-2201-16 and blades P/N FC8477A-4 which may result in loss of airplane control, do the following:

(a) Remove from service Hartzell propeller hubs P/N D-6522-1 or D-2201-16 and blades P/N FC8477A-4 before exceeding 2,000 flight hours and replace with serviceable hubs and blades.

(b) After the effective date of this AD, do not install any Hartzell propeller hubs P/N D-6522-1 or D-2201-16 and blades P/N FC8477A-4 that have accumulated 2,000 hours.

(c) A propeller hub or blade from an airplane that is identified in the applicability section of this AD may not be removed and

reused on an airplane for which this AD is not applicable.

### Alternative Methods of Compliance

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Chicago Aircraft Certification Office (ACO). Operators must submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Chicago ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago ACO.

### Special Flight Permits

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done.

Issued in Burlington, Massachusetts, on September 11, 2002.

**Jay J. Pardee,**

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 02-23777 Filed 9-18-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. 2001-NE-30-AD]

RIN 2120-AA64

### Airworthiness Directives; Pratt & Whitney JT8D-200 Series Turbofan Engines

**AGENCY:** Federal Aviation Administration, DOT.

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

**SUMMARY:** The Federal Aviation Administration (FAA) proposes to adopt a new airworthiness directive (AD) that is applicable to Pratt & Whitney (PW) JT8D-200 series turbofan engines. This proposal would require initial and repetitive visual inspections, fluorescent magnetic particle inspections (FMPI), and fretting wear inspections of high pressure compressor (HPC) front hubs that have operated with PWA-110 coating in the interface between the hub and the stage 8-9 spacer. This proposal is prompted by the discovery of cracked tierod holes found during routine engine overhauls. The actions specified by the proposed AD are intended to prevent a rupture of the HPC front hub