

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 71

RIN 3150-AG71

#### Compatibility With IAEA Transportation Safety Standards and Other Transportation Safety Amendments; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule: correction.

**SUMMARY:** This document corrects a final rule appearing in the **Federal Register** on January 26, 2004 (69 FR 3698) amending the regulations governing the packaging and transportation of radioactive materials. This action is necessary to precisely identify provisions that will expire four years after the final rule becomes effective and the date on which that will occur.

**EFFECTIVE DATE:** The final rule is effective on October 1, 2004. Sections 71.19(a) and 71.20 expire on October 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Naiem S. Tanious, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6103, e-mail [nst@nrc.gov](mailto:nst@nrc.gov).

■ 1. On page 3698, the effective date is corrected to read as follows: **EFFECTIVE DATE:** The final rule is effective on October 1, 2004. Sections 71.19(a) and 71.20 expire on October 1, 2008.

2. In § 71.19 paragraph (a)(3) is corrected to read as follows:

#### § 71.19 Previously approved package.

(a) \* \* \*

(3) Paragraph (a) of this section expires October 1, 2008.

\* \* \* \* \*

Dated at Rockville, Maryland, this 4th day of February, 2004.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Federal Register Liaison Officer.*

[FR Doc. 04-2774 Filed 2-9-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-NM-154-AD; Amendment 39-13458; AD 2004-03-14]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 series airplanes, that requires repetitive inspections for discrepancies of certain rear spar fittings between the flex shaft of the flap secondary drive and the wing-to-fuselage structure, and corrective action if necessary. This action also provides for an optional modification of the flex shaft installation, which terminates the repetitive inspections. This action is necessary to find and fix damage and prevent subsequent failure of the rear spar fittings, which could result in loss of the wing. This action is intended to address the identified unsafe condition.

**DATES:** Effective March 16, 2004.

The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of March 16, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. 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 FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Westbury, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Jon Hjelm, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Westbury, New York 11581; telephone (516) 228-7300; fax (516) 794-5531.

**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 Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 series airplanes was published in the **Federal Register** on November 28, 2003 (68 FR 66765). That action proposed to require repetitive inspections for discrepancies of certain rear spar fittings between the flex shaft of the flap secondary drive and the wing-to-fuselage structure, and corrective action if necessary. That action also provides for an optional modification of the flex shaft installation, which would terminate the repetitive inspections.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 218 airplanes of U.S. registry will be affected by this AD.

It will take about 16 work hours per rear spar fitting (two fittings per airplane) to accomplish the inspection, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$453,440, or \$2,080 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no