

## Appendix R to Part 50—Fire Protection Program For Nuclear Power Facilities Operating Prior to January 1, 1979

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### III. Specific Requirements

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G. \* \* \*

2. \* \* \*

c. Enclosure of cable and equipment and associated non-safety circuits of one redundant train in a fire barrier having a 1-hour rating. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire areas; or

c-1. Operator manual actions that satisfy the acceptance criteria in paragraph III.P. In addition, fire detectors and an automatic fire suppression system shall be installed in the fire area.

\* \* \* \* \*

P. 1. For purposes of this section, operator manual actions means the integrated set of actions needed to ensure that a redundant train of systems necessary to achieve and maintain hot shutdown conditions located within the same area outside the primary containment is free of fire damage.

2. A licensee relying on operator manual actions must meet all of the following requirements:

(a) *Analysis.* The licensee shall prepare an analysis for each operator manual action which demonstrates its feasibility and reliability.

(1) The analysis must contain a postulated fire timeline showing that there is sufficient time to travel to action locations and perform actions required to achieve and maintain the plant in a hot shutdown condition under the environmental conditions expected to be encountered without jeopardizing the health and safety of the operator performing the manual action. The fire timeline shall extend from the time of initial fire detection until the time when the ability to achieve and maintain hot shutdown is reached, and shall include a time margin that reasonably accounts for all important variables, including (i) differences between the analyzed and actual conditions, and (ii) human performance uncertainties that may be encountered.

(2) The analysis must address the functionality of equipment or cables that could be adversely affected by the fire or its effects but still used to achieve and maintain hot shutdown.

(3) The analysis must identify all equipment required to accomplish the operator manual actions within the postulated timeline, including (but not limited to) (i) all indications necessary to identify the need for the operator manual actions, enable their performance and verify their successful accomplishment, and (ii) any necessary communications, portable, and life support equipment.

(b) *Procedures and training.* Plant procedures must include each operator manual action required to achieve and maintain hot shutdown. Each operator must be appropriately trained on those procedures.

(c) *Implementation.* The licensee shall ensure that all systems and equipment

needed to accomplish each operator manual action are available and readily accessible consistent with the analysis required by paragraph 2(a). The number of operating shift personnel required to perform the operator manual actions shall be on site at all times.

(d) *Demonstration.* Periodically, the licensee shall conduct demonstrations using an established crew of operators to demonstrate that operator manual actions required to achieve and maintain the plant in a hot shutdown condition can be accomplished consistent with the analysis in paragraph 2(a) of this section.

The licensee may not rely upon any operator manual action until it has been demonstrated to be consistent with the analysis. The licensee shall take prompt corrective action if any subsequent periodic demonstration indicates that the operator manual actions can no longer be accomplished consistent with the analysis.

Dated at Rockville, Maryland, this 24th day of February, 2005.

For the Nuclear Regulatory Commission.

**Annette Vietti-Cook,**  
*Secretary of the Commission.*

[FR Doc. 05-4314 Filed 3-4-05; 8:45 am]

**BILLING CODE 7590-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-20065; Airspace Docket No. 05-ACE-7]

### Proposed Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Monett, MO

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to create a Class E surface area at Monett, MO. It also proposes to modify the Class E5 airspace at Monett, MO.

**DATES:** Comments for inclusion in the Rules Docket must be received on or before April 19, 2005.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2005-20065/Airspace Docket No. 05-ACE-7, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal

holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2005-20065/Airspace Docket No. 05-ACE-7." The postcard will be date/time stamped and returned to the commenter.

#### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be assessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

This notice proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace designated as a surface area for an airport at Monett, MO. Controlled airspace extending upward from the surface of the earth is needed to contain aircraft executing instrument approach procedures to Monett Municipal Airport. Weather observations would be provided by an Automatic Weather Observing/Reporting System (AWOS) and communications would be direct with Springfield Terminal Radar Approach Control Facility.

This notice also proposes to revise the Class E airspace area extending upward from 700 feet above the surface at Monett, MO. An examination of this Class E airspace area for Monett, MO revealed noncompliance with FAA directives. This proposal would correct identified discrepancies by increasing the area from a 6.5-mile to a 7.5-mile radius of Monett Municipal Airport, eliminating the extension to the airspace area, correcting errors in the Monett Municipal Airport reference point, defining airspace of appropriate dimensions to protect aircraft departing and executing instrument approach procedures to Monett Municipal Airport and bringing the airspace area into compliance with FAA directives. Both areas would be depicted on appropriate aeronautical charts.

Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only effect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a

significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This proposed rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority since it would contain aircraft executing instrument approach procedures to Monett Municipal Airport.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**ACE MO E2 Monett, MO**

Monett Municipal Airport, MO  
(Lat. 36°54'22" N., long. 94°00'46" W)

Within a 4.5-mile radius of Monett Municipal Airport.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**ACE MO E5 Monett, MO**

Monett Municipal Airport, MO  
(Lat. 36°54'22" N., long. 94°00'46" W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Monett Municipal Airport.

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Issued in Kansas City, MO, on February 24, 2005.

**Anthony D. Roetzel,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–4285 Filed 3–4–05; 8:45 am]

**BILLING CODE 4910–13–M**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 62**

**[R04–OAR–2004–TN–0003–200428(b); FRL–7881–6]**

**Approval and Promulgation of State Plan for Designated Facilities and Pollutants; Nashville, TN**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the section 111(d)/129 State Plan submitted by Tennessee for the Pollution Control District (PCD) of the Metro Public Health Department for Nashville/Davidson County on May 28, 2002, for implementing and enforcing the Emissions Guidelines applicable to existing Commercial and Industrial Solid Waste Incinerators. The Plan was submitted to satisfy Federal Clean Air Act requirements. In the final rules section of this **Federal Register**, the EPA is approving the Nashville/Davidson County State Plan revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time.

**DATES:** Comments must be received in writing by April 6, 2005.

**ADDRESSES:** Comments may be mailed to Joydeb Majumder, EPA Region 4, Air Toxics and Monitoring Branch, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. Please follow the detailed instructions described in the direct final rule, **ADDRESSES** section which is