

(1) The information specified in paragraphs (b)(1) through (b)(3) of this section;

(2) The methods used for and results obtained from the radiation surveys required to demonstrate compliance with the radiological criteria for unrestricted use specified in 10 CFR 20.1402; and

(3) A supplement to the environmental report, under § 51.53, describing any new information or significant environmental change associated with the licensee's proposed release of the property.

(e) After receiving a license amendment application from the licensee for the release of an impacted area, the NRC shall—

(1) Determine whether the licensee has adequately evaluated the effect of releasing the property as required by paragraph (a)(1) of this section;

(2) Determine whether the licensee's classification of any release areas as non-impacted is adequately justified;

(3) Determine whether the licensee's radiation survey for an impacted area is adequate; and

(4) Upon determining that the licensee's submittal is adequate, approve the licensee's amendment application.

(f) The NRC shall notice receipt of the release approval request or license amendment application and make the approval request or license amendment application available for public comment. Before acting on an approval request or license amendment application submitted in accordance with this section, the NRC shall conduct a public meeting in the vicinity of the licensee's facility for the purpose of obtaining public comments on the proposed release of part of the facility or site. The NRC shall publish a document in the **Federal Register** and in a forum, such as local newspapers, which is readily accessible to individuals in the vicinity of the site, announcing the date, time, and location of the meeting, along with a brief description of the purpose of the meeting.

Dated in Rockville, Maryland, this 14th day of April, 2003.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-NM-23-AD; Amendment 39-13126; AD 2003-08-13]

RIN 2120-AA64

Airworthiness Directives; Various Surplus Military Airplanes Manufactured by Consolidated, Consolidated Vultee, and Convair

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to various surplus military airplanes manufactured by Consolidated, Consolidated Vultee, and Convair. This action requires repetitive inspections to find fatigue cracks in the lower rear cap of the wing front spar, front spar web, and lower skin of the wings; repair or replacement of any cracked part with a new part; and follow-on inspections at new intervals. This action is necessary to find and fix fatigue cracking, which could result in structural failure of the wings and consequent loss of control of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective May 7, 2003.

Comments for inclusion in the Rules Docket must be received on or before June 23, 2003.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2003-NM-23-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2003-NM-23-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

Information pertaining to this AD may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft

Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: John Cecil, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5228; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: On July 18, 2002, while dropping retardant on a fire near Lyons, Colorado, a United States Department of Agriculture (USDA) Forest Service Model P4Y-2 airplane was involved in an accident, resulting from the structural failure of the center wing. Investigation revealed fatigue cracking in the lower rear cap of the wing front spar, front spar web, and lower skin of the wings. The fatigue cracking has been attributed to the age, time-in-service, and flight cycles of the airplane. Such fatigue cracking, if not found and fixed in a timely manner, could result in structural failure of the wings and consequent loss of control of the airplane.

FAA's Determination

We have determined that high-cycle fatigue cracks in the area of the lower rear cap of the wing front spar, front spar web, and lower skin of the wings are likely to occur on various surplus military airplanes. Repetitive inspections of these areas are necessary to ensure that fatigue cracks will be found in a timely manner, and corrective action taken, to preclude crack growth to a size that would create an unacceptable risk of structural failure. While inspection methodologies exist that can be used to find cracks, we are currently unaware of any for the subject airplanes. Therefore, owners and operators must submit inspection procedures and repetitive inspection intervals to the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, for approval. The inspection procedures must be sufficiently reliable to determine the location, size, and orientation of cracks that are very small, so that the crack will not grow to a critical length at limit load before the next scheduled inspection.

If any crack is found during any inspection, operators must replace the cracked part with a new part; or repair and inspect at new intervals per a method approved by the FAA.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other surplus military airplanes of the same type design, this