

A concomitant factor that influenced the NRC's position is the NRC's awareness of a number of phenomena that are known to contribute non-conservatism to the Appendix K evaluation models. These phenomena include boiling in the downcomer annulus during reflood, downcomer entrainment and inventory reduction due to steam bypass, and fuel relocation following cladding swelling during the temperature transient. The NRC believes that if changes are made in the decay heat standard, then changes would also have to be considered in other models to ensure that an appropriate level of overall conservatism is retained in the ECCS evaluation model package.

In addition, the NRC has evaluated the advantages and disadvantages of the rulemaking requested by the petitioner with respect to the four NRC Strategic Performance Goals as follows:

1. *Maintaining Safety:* The NRC believes that the requested rulemaking would not make a significant contribution to maintaining safety because the overall conservatism provided by the Appendix K evaluation models may not be appropriately accounted for if the conservatism of using the 1971 ANS decay heat standard is individually removed.

2. *Enhancing Public Confidence:* The proposed rulemaking would not enhance public confidence without an overall assessment of ECCS evaluation model conservatism. The NRC believes that if changes are made in the decay heat standard, then changes would also have to be considered in other models to ensure that an appropriate level of overall conservatism is retained in the ECCS evaluation model package.

3. *Improving Efficiency and Effectiveness:* The NRC staff believes that it would not be efficient and effective to modify the Appendix K evaluation model using a piecemeal approach when the "best-estimate" evaluation model is already available for licensees use.

4. *Reducing Unnecessary Regulatory Burden:* The NRC agrees that the proposed rule would reduce licensees' regulatory burden. However, the NRC does not agree that the associated burden is "unnecessary" in the absence of a demonstration that overall conservatism retained in the Appendix K evaluation models would remain adequate. For reasons cited in this document, the NRC denies the petition.

Dated at Rockville, Maryland, this 26th day of November, 2003.

For the Nuclear Regulatory Commission.
J. Samuel Walker,
Acting Secretary of the Commission.
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002-NM-327-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-600, 737-700, 737-700C, 737-800, and 737-900 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Model 737-600, 737-700, 737-700C, 737-800, and 737-900 series airplanes. This proposal would require measuring the electrical resistance of the support bracket for the fire extinguisher bottle located in the left main landing gear wheel well to ensure that it does not exceed the maximum allowed resistance; and corrective actions, if necessary. This action is necessary to prevent high electrical resistance in the squib firing circuit, which could result in insufficient electrical current to fire the fire extinguisher bottle squib and discharge the fire extinguishing agent, which could lead to an uncontrolled engine fire. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by January 20, 2004.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2002-NM-327-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-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain "Docket No. 2002-NM-327-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 or 2000 or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT:

Doug Pegors, Aerospace Engineer; Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 917-6504; fax (425) 917-6590.

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 shall 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.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

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 2002-NM-327-AD." The postcard will be date stamped and returned to the commenter.