

number of excess cancer fatalities, based on the BEIR V report. As discussed in the section titled, "BEIR Reports," while the changes between the reports has increased our understanding of radiation risk, none of the findings of the BEIR VII report represent new and significant information when compared to the findings of the BEIR V report. Thus, there is no need to amend NRC regulations or the GEIS.

Human health effects associated with ionizing radiation, which the GEIS classifies as a Category 1 issue, are divided into two broad categories, non-stochastic and stochastic. The non-stochastic health effects are those in which the severity varies in direct relationship with the radiation dose and for which, according to scientific reports from ICRP, UNSCEAR, as well as the BEIR committee, a dose threshold is known to exist. Radiation-induced cataract formation is an example of a non-stochastic effect. The stochastic health effects are those that occur randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidences are examples of stochastic effects. For the mitigation of stochastic health effects, the NRC endorses the linear, no-threshold dose response model as a basis for its radiation protection standards. This model indicates that any increase in radiation dose, no matter how small, results in an incremental increase in the risk of adverse health effects.

NRC regulations and standards, such as the annual dose limits contained in 10 CFR Part 20 for members of the public and for occupational workers, account for stochastic and non-stochastic health effects of radioactive material inhaled or ingested into the human body. For members of the public, the annual dose limit from exposure to radiation from an NRC licensed facility is 0.1 rem. For occupational workers, there are specific dose limits to address the stochastic and non-stochastic health effects. The total effective dose equivalent limit which addresses the stochastic health effects is limited to an annual dose of 5 rem. To address the non-stochastic health effects, the annual dose limit to any individual organ or tissue and the skin, other than the lens of the eye, is 50 rem; the annual dose limit to the lens of the eye is 15 rem. The dose unit is specified as TEDE in rem. The TEDE dose is the sum of the deep-dose equivalent (i.e., external exposures) and the committed effective dose equivalent (i.e., internal exposures received from inhaling or

ingesting of radioactive material which includes alpha, beta, gamma, and neutron emitters). The current dose regulations and standards contain adequate radiation safety limits based on radiation exposures from all types of radioactive material and therefore, continue to ensure adequate protection of the public and occupational workers.

Further, Appendix I to 10 CFR Part 50 provides numerical ALARA dose criteria for the discharge of radioactive gaseous and liquid effluents from nuclear power plants. These dose objectives are incorporated into each nuclear power plant's license conditions. The NRC collects and assesses data regarding licensees' adherence to regulations based on site visits, audits and inspection records, and the annual radiological effluent release reports required to be submitted to the NRC and concludes that nuclear power plants continue to maintain their radioactive effluents to the ALARA dose criteria.

#### *D. Recognize That There Is No Safe Dose*

The BEIR VII report's major conclusion is that current scientific evidence is consistent with the hypothesis that there is a linear, no-threshold dose response relationship between exposure to ionizing radiation and the development of cancer in humans. The BEIR VII committee did not attempt to equate radiation exposure and safety, nor did it offer any judgment or opinion on what constitutes a safe level of radiation exposure. It concludes that establishing limits on public exposure to ionizing radiation is the responsibility of Federal agencies like the U.S. Environmental Protection Agency and the NRC. The linear, no-threshold dose response relationship between exposure to ionizing radiation and the development of cancer in humans is consistent with the system of radiological protection that the NRC uses as a basis to develop its regulations. Therefore, the NRC's regulations continue to ensure adequate protection of the public health and safety and the environment.

#### **Reasons for Denial**

The Commission is denying the petition for rulemaking submitted by Sally Shaw. The specific issues contained in the petition are already adequately addressed in the NRC's radiation protection regulations and standards.

Although this petition is being denied, the Commission notes that the current GEIS that referenced the BEIR V, 1999 report, is undergoing planned

revision and will consider recent radiological studies, including the BEIR VII, 2005 report. The summary of findings as a result of the planned update will be codified through an ongoing and routine rulemaking to 10 CFR Part 51, Subpart A, Appendix B, Table B1—Summary of Findings on NEPA Issues for License Renewal of Nuclear Power Plants.

The Commission has concluded that nuclear plants that are in compliance with NRC radiation protection regulations and standards remain protective of public health and safety and the environment. The radiological health and environmental impacts contained in the GEIS, which are based on regulatory compliance, remain valid.

For these reasons, the Commission denies PRM-51-11.

Dated at Rockville, Maryland, this 10th day of December 2007.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E7-24291 Filed 12-13-07; 8:45 am]

**BILLING CODE 7590-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2007-0258; Directorate Identifier 2007-CE-090-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Air Tractor, Inc. AT-400, AT-500, AT-600, and AT-800 Series Airplanes**

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); Extension of the comment period.

**SUMMARY:** We are revising an earlier proposed airworthiness directive (AD) that applies to certain Air Tractor, Inc. (Air Tractor) AT-400, AT-500, AT-600, and AT-800 series airplanes. The earlier NPRM proposed to supersede Airworthiness Directive (AD) 2007-13-17, which applies to certain Air Tractor Models AT-602, AT-802, and AT-802A airplanes. AD 2007-13-17 currently requires you to repetitively inspect the engine mount for any cracks, repair or replace any cracked engine mount, and report any cracks found to the FAA. The earlier NPRM proposed to retain the inspection actions of AD 2007-13-17 for Models AT-602, AT-802, and AT-802A airplanes, including the compliance times and effective dates;

establish new inspection actions for the AT-400 and AT-500 series airplanes; incorporate a mandatory terminating action for all airplanes; and terminate the reporting requirement of AD 2007-13-17. The earlier NPRM resulted from a Model AT-502B with a crack located where the lower engine mount tube is welded to the engine mount ring, and the manufacturer developing gussets that, when installed according to their service letter, terminate the repetitive inspection requirement. Since issuance of the NPRM, the manufacturer revised the service information and the FAA has determined that it is necessary to address the unsafe condition. Therefore, we are incorporating the service letter revision into the proposed AD, and we are extending the comment period to allow the public additional time to comment.

**DATES:** We must receive comments on this proposed AD by February 29, 2008 (an additional 30 days after the comment close date for the NPRM, which was January 30, 2008).

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Air Tractor Inc., P.O. Box 485, Olney, Texas 76374; telephone: (940) 564-5616; fax: (940) 564-5612.

**FOR FURTHER INFORMATION CONTACT:** Andy McAnaul, Aerospace Engineer, 10100 Reunion Pl., San Antonio, Texas 78216; telephone: (210) 308-3365; fax: (210) 308-3370.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number, "FAA-2007-0258; Directorate Identifier 2007-CE-090-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive concerning this proposed AD.

**Discussion**

On November 23, 2007, we issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Air Tractor AT-400, AT-500, AT-600, and AT-800 series airplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on November 30, 2007 (72 FR 67687). The NPRM proposed to supersede AD 2007-13-17

with a new AD that would retain the inspection actions of AD 2007-13-17 for Models AT-602, AT-802, and AT-802A airplanes, including the compliance times and effective dates; establish new inspection actions for the AT-400 and AT-500 series airplanes; incorporate a mandatory terminating action for all airplanes; and terminate the reporting requirement of AD 2007-13-17. That proposed AD would have required you to use Snow Engineering Co. Service Letter #253 Rev. A, dated October 16, 2007.

Since issuance of the NPRM, Snow Engineering Company revised the Snow Engineering Co. Service Letter #253, Rev. A to the Rev. B level (dated November 30, 2007).

**FAA's Determination and Requirements of This Proposed AD**

We have carefully reviewed the available data and determined that:

- The unsafe condition referenced in this document exists or could develop on other products of the same type design;
- Doing the actions following the revised service letter is necessary to address the unsafe condition; and
- We should take AD action to correct this unsafe condition.

Therefore, we are incorporating the service letter revision into the proposed AD, and we are issuing a supplemental NPRM and extending the comment period to allow the public additional time to comment.

**Costs of Compliance**

We estimate that this proposed AD would affect 1,264 airplanes in the U.S. registry, including those airplanes affected by AD 2007-13-17.

We estimate the following costs to do the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1.5 work-hours × \$80 per hour = \$120 .....	\$0	\$120	\$151,680

We estimate the following costs to do the repair/modification:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
24 work-hours × \$80 per hour = \$1,920 .....	\$80	\$2,000	\$2,528,000

The estimated total cost on U.S. operators includes the cumulative costs associated with AD 2007-13-17 and those airplanes and actions being added in this proposed AD.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106 describes the authority of

the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

For the reasons discussed above, I certify that the 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

**Examining the AD Docket**

You may examine the AD docket that contains the proposed AD, the regulatory evaluation, any comments received, and other information on the Internet at <http://dms.dot.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located at the street address stated in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2007-13-17, Amendment 39-15121 (72 FR 36863, July 6, 2007), and adding the following new AD:

**Air Tractor, Inc.:** Docket No. FAA-2007-0258; Directorate Identifier 2007-CE-090-AD.

**Comments Due Date**

(a) We must receive comments on this airworthiness directive (AD) action by February 29, 2008 (an additional 30 days after the comment close date for the NPRM of January 30, 2008).

**Affected ADs**

(b) This AD supersedes AD 2007-13-17, Amendment 39-15121.

**Applicability**

(c) This AD applies to the following airplane models and serial numbers that are certificated in any category:

Model	Serial Nos.
AT-400, AT-400A, AT-402, AT-402A, and AT-402B .....	-0001 through -1175.
AT-502, AT-502A, AT-502B, and AT-503A .....	-0001 through -2597.
AT-602 .....	-0001 through -1141.
AT-802 and AT-802A .....	-0001 through -0227.

**Unsafe Condition**

(d) This AD results from a report of a Model AT-502B airplane with a crack located where the lower engine mount tube is welded to the engine mount ring. The airplane had 8,436 total hours time-in-service (TIS). We are issuing this AD to detect and

correct cracks in the engine mount, which could result in failure of the engine mount. Such failure could lead to separation of the engine from the airplane.

**Compliance**

(e) To address this problem, you must do the following, unless already done:

(1) *For all airplanes with less than 5,000 hours total TIS that do not have gussets installed on the engine mount in accordance with Snow Engineering Co. Service Letter #253 Rev. A, dated October 16, 2007:* Visually inspect the engine mount as follows:

Affected airplanes	Compliance	Procedures
(i) <i>For all Models AT-602, AT-802, and AT-802A airplanes.</i>	Initially before the airplane reaches a total of 1,300 hours TIS or within the next 100 hours TIS after August 10, 2007 (the effective date of AD 2007-13-17), whichever occurs later. Repetitively thereafter at intervals not to exceed 300 hours TIS.	Follow one of the following: (A) Snow Engineering Co. Service Letter #253, Rev. B, dated November 30, 2007; (B) Snow Engineering Co. Service Letter #253, Rev. A, dated October 16, 2007; or (C) Snow Engineering Co. Service Letter #253, revised January 22, 2007.
(ii) <i>For all Model AT-502A airplanes .....</i>	Initially before the airplane reaches a total of 1,300 hours TIS or within the next 100 hours TIS after the effective date of this AD, whichever occurs later. Repetitively thereafter at intervals not to exceed 300 hours TIS.	Follow Snow Engineering Co. Service Letter #253 Rev. B, dated November 30, 2007.

Affected airplanes	Compliance	Procedures
(iii) <i>For all Models AT-400, AT-400A, AT-402, AT-402A, AT-402B, AT-502, AT-502B, and AT-503A airplanes.</i>	Initially within the next 12 months after the effective date of this AD. Repetitively thereafter at intervals not to exceed 12 months.	Follow Snow Engineering Co. Service Letter #253 Rev. B, dated November 30, 2007.

(2) *For all airplanes:* Before further flight after any inspection required by paragraph (e)(1) of this AD where crack damage is found, repair and modify the engine mount by installing gussets following Snow Engineering Co. Service Letter #253 Rev. B, dated November 30, 2007. This modification terminates the repetitive inspections required in paragraphs (e)(1)(i), (e)(1)(ii), and (e)(1)(iii) of this AD.

(3) *For all airplanes:* Before the airplane reaches 5,000 hours total TIS after the effective date of this AD or within the next 100 hours TIS after the effective date of this AD, whichever occurs later; inspect, repair if cracked, and modify the engine mount by installing gussets following Snow Engineering Co. Service Letter #253 Rev. B, dated November 30, 2007. This modification terminates the repetitive inspections required in paragraphs (e)(1)(i), (e)(1)(ii), and (e)(1)(iii) of this AD.

**Note:** As a terminating action to the repetitive inspections required in paragraphs (e)(1)(i), (e)(1)(ii), and (e)(1)(iii) of this AD, you may install the gussets before finding cracks or reaching 5,000 hours total TIS.

#### Alternative Methods of Compliance (AMOCs)

(f) The Manager, Forth Worth Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Andy McAnaul, Aerospace Engineer, ASW-150, FAA San Antonio MIDO-43, 10100 Reunion Place, San Antonio, Texas 78216; phone: (210) 308-3365; fax: (210) 308-3370. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

#### Related Information

(g) To get copies of the service information referenced in this AD, contact Air Tractor Inc., P.O. Box 485, Olney, Texas 76374; telephone: (940) 564-5616; fax: (940) 564-5612. To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at <http://www.regulations.gov>.

Issued in Kansas City, Missouri, on December 10, 2007.

**John R. Colomy,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-24215 Filed 12-13-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-0294; Directorate Identifier 2007-CE-087-AD]

RIN 2120-AA64

#### Airworthiness Directives; Piaggio Aero Industries S.p.A. Model P 180 Airplanes

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Due to pressurization loads, the fuselage frame of the emergency exit door could suffer from fatigue and develop cracks in its corners. The superseded Italian Airworthiness Directive (AD) 1995-059 was issued to require modification of the emergency door frame in accordance with Piaggio (at the time I.A.M. Rinaldo Piaggio S.p.A.) Service Bulletin 80-0057 original issue.

Parts necessary to carry out the modification were a new door pan assembly and a doubler; Since these parts are no longer available, Piaggio Aero Industries S.p.A. (PAI) designed new suitable part numbers introduced by Revision 1 of Service Bulletin 80-0057. The present AD mandates modification of the fuselage emergency door frame in accordance with Revision 1 of Service Bulletin 80-0057 from PAI.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by January 14, 2008.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-

30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

• *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2007-\*\*\*\*; Directorate Identifier 2007-CE-087-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent