

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

{Docket No. 18310; Amdt. Nos. 121-153 and 129-10}

Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft and Operations of Foreign Air Carriers Radiation Surveys of Airport X-Ray Inspection Cabinets; Extension of Time

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Final rule.

SUMMARY: This amendment changes the regulation pertaining to surveys of baggage X-ray Inspection Cabinets by extending the time required for such surveys from six months to one year. Experience has shown that the reliability of these devices is excellent, the radiation hazard to employees negligible, and the extension fully justified.

DATE: Effective date is October 19, 1979.

FOR FURTHER INFORMATION CONTACT: Theo P. Tsacoumis, Technical Security Division, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591; telephone (202) 755-8715.

SUPPLEMENTARY INFORMATION:

background

On September 15, 1978, the Air Transport Association of America (ATA) petitioned the FAA for expedited

rule making to amend Part 121 of the Federal Aviation Regulations (FARs), by extending the time required for surveys of baggage X-ray inspection cabinets from six calendar months to one year.

On March 15, 1979, after review and pursuant to the ATA petition, the FAA published a Notice of Proposed Rule Making (Notice No. 79-5) in the Federal Register (44 FR 15732) which proposed to amend Parts 121 and 129 of the FARs in accordance with the ATA petition.

Discussion

Three comments were received in response to the petition. Two commenters supported the proposal and a third commenter stated that the change should be made without endangering the traveling public, airport and airline employees. This commenter urged the FAA to study carefully all available information on the amounts of radiation emitted by X-ray inspection cabinets and amend the regulations only after a careful analysis of this data indicates that the survey time can be extended without endangering the traveling public, airport and airline employees.

As stated in the Notice, the FAA receives a copy of each six-month X-ray survey. After an analysis of these records, it has concluded that there is no excessive leakage emanating from these X-rays, the reliability of these devices is excellent, and the public and airport and airline employees would not be endangered by an extension of the survey time.

The Amendment

Accordingly, Parts 121 and 129 of the Federal Aviation Regulations (14 CFR Parts 121 and 129) are amended effective October 19, 1979, as follows:

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATOR OF LARGE AIRCRAFT

§ 121.538a [Amended]

(1) By amending paragraph (b) of § 121.538a by deleting the number "6" and substituting the number "12" in its place.

PART 129—OPERATIONS OF FOREIGN AIR CARRIERS

§ 129.26 [Amended]

(2) By amending paragraph (b)(1) of 129.26 by deleting the number "6" and substituting the number "12" in its place.

(Secs. 313(a), 315, 316 and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1356, 1357 and 1421), and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Note.—The Federal Aviation Administration has determined that this document is not significant in accordance with the criteria required by Executive Order 12044, and set forth in the Department of Transportation Regulatory Policies and Procedures published in the Federal Register, February 26, 1979 (44 FR 11034)

Issued in Washington, D.C. on September 11, 1979.

Langhorne Bond,
Administrator.

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(As published in the Federal Register (44 F.R. 54467) on September 20, 1979.)

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