

Title 14—Aeronautics and Space
CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14580, Amdt. 103-25]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Extension of Compliance Date for Radiation Monitoring

The purpose of this amendment to §§ 103.3(d)(3) and 103.23(c) of the Federal Aviation Regulations is to extend the compliance date for the monitoring of any package containing radioactive materials prior to acceptance of these materials for carriage by air and after the removal of any package containing radioactive materials from an aircraft; and, for scanning the compartment from which a package containing radioactive materials has been removed, when appropriate.

Among the measures for inspection of dangerous articles set forth in Amendment 103-23 (40 FR 5140; published February 4, 1975), is the requirement that, after June 30, 1975, no person may accept any package containing radioactive materials for shipment in an aircraft unless a scan with a radiation monitoring instrument reveals that the level of radiation at 3 feet from the package does not exceed certain standards set forth in § 103.23(d). In the event that the scan of any package that has been removed from an aircraft discloses any leakage or increase in the level of radiation, certain parts of the aircraft are required to be scanned with a radiation monitoring instrument. The scan that is required must be performed using a radiation monitoring instrument with an accuracy of plus or minus 20 percent.

Numerous petitioners requested an extension of the compliance date for that portion of Amendment 103-23 that requires radiation monitoring. The most frequent reason cited for the requests to

delay implementation was that the specifications for the radiation monitoring instrument that is needed to perform the required scanning are not clear. Furthermore, petitioners stated that, when definitive specifications are arrived at, manufacturers will need time to increase their supplies of the proper equipment and operators will need additional time to train personnel in its use.

FAA review of the petitions received does indicate that further definitive specifications for a radiation monitoring instrument suitable for performing the scanning that is required by Amendment 103-23 are needed. Accordingly, the FAA has instituted a study to develop more realistic specifications for radiation monitoring equipment. We also believe that additional time is necessary to produce the number of radiation monitoring instruments that are necessary to perform the monitoring of the packages of radioactive materials that are being transported by air, and to train personnel in their proper use.

In view of the imminence of the present compliance date, and since this amendment grants relief and imposes no additional burden on any person, I find that notice and public procedure thereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

This amendment is issued under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and authority delegated to the Administrator by the Secretary of Transportation (40 FR 2861).

In consideration of the foregoing, §§ 103.3(d)(3) and 103.23(c) of the Federal Aviation Regulations are amended, effective June 30, 1975, by deleting the phrase "June 30, 1975" and substituting the phrase "January 1, 1976" therefor.

Issued in Washington, D.C., on June 20, 1975.

JAMES E. DOW,
Acting Administrator.

(As published in the Federal Register [40 F.R. 26673] on June 25, 1975.)