

the current or proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this 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) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by removing amendment 39-9475 (61 FR 5277, February 12, 1996), and by adding a new airworthiness directive (AD), to read as follows:

De Havilland, Inc.: Docket 95-NM-268-AD. Supersedes AD 95-26-17, amendment 39-9475.

Applicability: Model DHC-8-301, -311, and -315 series airplanes; as listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (f) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

(a) Within 30 days after February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475, accomplish the modification of the airspeed limitation placards (Modification 8/2498) in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995.

(b) Prior to further flight following accomplishment of the modification required by paragraph (a) of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) by accomplishing either paragraph (b)(1) or (b)(2) of this AD, as applicable; and operate the airplane in accordance with those limitations.

(1) For Model DHC-8-301 series airplanes: Include the information specified in DHC-8 Model 301 Flight Manual, PSM 1-83-1A, Flight Manual Revision 57, dated September 26, 1995, which specifies a lower airspeed limitation at full flaps. This may be accomplished by inserting a copy of Flight Manual Revision 57 into the AFM.

(2) For Model DHC-8-311 and -315 series airplanes: Include the following statement in section 2, paragraph 2.4.1.2., of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

"Flap extended speed (V_{FE}): Flaps 35 degrees 130 knots IAS"

(c) For Model DHC-8-311 and -315 series airplanes: Within 2 years after the effective date of this AD, install Modification 8/2066 in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995. Such installation constitutes terminating action for the requirements of paragraphs (a) and (b) of this AD.

Following accomplishment of Modification 8/2066, the airspeed limitations placard (Modification 8/2498) required by paragraph (a) of this AD and the AFM limitation required by paragraph (b) of this AD may be removed.

(d) Except as required by paragraph (e) of this AD: As of February 27, 1996 (the effective date of AD 95-26-17, amendment 39-9475), Modification 8/2498 must be accomplished in accordance with de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, prior to installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B.

8-57-24, Revision 'A', dated September 26, 1995.

(e) For Model DHC-8-311 and -315 series airplanes: As of two years after the effective date of this AD, prior to the installation of any outboard flap assembly having a part number and serial number that is listed in de Havilland Service Bulletin S.B. 8-57-24, Revision 'A', dated September 26, 1995, install Modification 8/2066 on the affected flap assembly in accordance with that service bulletin. Installation of this modification terminates the requirements specified in paragraphs (a), (b), and (d) of this AD.

(f) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(g) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on April 17, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 96-9933 Filed 4-22-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Ch. I

Federal Regulatory Review; Notice of Intent

AGENCY: Bureau of Indian Affairs, Interior

ACTION: Notice of intent.

SUMMARY: The President's Regulatory Reform Initiative requires Federal agencies to streamline the regulatory process, to remove obsolete regulations, and to reduce the regulatory burden on the general public. The Bureau of Indian Affairs (BIA) is committed to a goal of eliminating or improving over 500 pages of regulations by June 1, 1996. We will remove obsolete or unnecessary rules and rewrite existing regulations in the clearer, more precise and understandable format of "Plain English." This approach to regulation writing is intended to make rules easier to understand without changing their meaning.

FOR FURTHER INFORMATION CONTACT: Hilda Manuel, Deputy Commissioner of Indian Affairs, Bureau of Indian Affairs, Mail Stop 4145-MIB, 1849 C Street NW., Washington, DC 20240, or telephone (202) 208-5116. Calls will be referred to the Deputy Commissioner's regulation reform team members for further coordination.

SUPPLEMENTARY INFORMATION: By June 1, 1996, the BIA will publish rules for public and tribal review. The rules

included in this notice were identified in the Joint Tribal/BIA/DOI Advisory Task Force on Bureau of Indian Affairs Reorganization report and by tribes and BIA program staff. Additional rules the Joint Tribal/BIA/DOI Advisory Task Force on Bureau of Indian Affairs Reorganization recommended for revision will be considered separately (25 CFR Part 61, Preparation of Rolls of Indians, 25 CFR Part 89, Attorney Contracts with Indian Tribes, 25 CFR Part 144, American Indian Trust Funds

Management Reform Act, and 25 CFR Part 287, Buy Indian Act).

This effort does not preclude any consultation currently planned or underway. Tribal consultation on regulations with substantive rulemaking will continue as planned. For the rules involving only "Plain English" revision, consultation will be scheduled if the comments received following publication of the proposed rules indicate a need for further consultation.

LIST OF RULES THE BIA WILL REWRITE PLAIN ENGLISH AND PUBLISH AS PROPOSED RULES

25 CFR part	Title of rule
1	Applicability of Rules of the Bureau of Indian Affairs.
2	Appeals from Administrative Actions.
26	Employment Assistance for Adult Indians.
27	Vocational Training for Adult Indians.
31	Federal Schools for Indians.
33	Transfer of Indian Education Functions.
43	Maintenance and Control of Student Records in Bureau Schools.
152	Issuance of Patents in Fee, Certificates of Competency, Removal of Restrictions, and Sale of Certain Indian Lands.
154	Osage Roll, Certificate of Competency.
169	Rights-of-Way over Indian Lands.
175	Indian Electric Power Utilities.
273	Education Contracts under Johnson O'Malley Act.

LIST OF RULES CURRENTLY IN THE RULEMAKING PROCESS—BIA WILL MAKE SUBSTANTIVE REVISIONS, REMOVE OBSOLETE OR UNNECESSARY REQUIREMENTS, REWRITE IN "PLAIN ENGLISH," AND PUBLISH AS PROPOSED OR FINAL RULES

25 CFR part	Title of rule
5	Preference in Employment.
10	Adult and Juvenile Detention Standards for Facilities and Programs.
12	The Indian Police.
36	Minimum Academic Standards for the Basic Education of Indian Children and National Criteria for Dormitory Situations.
39	The Indian School Equalization Program.
40	Administration of Educational Loans, Grants and Other Assistance for Higher Education.
41	Grants to Tribally Controlled Community Colleges and Navajo Community College.
46	Administration of the Adult Education Program—NEW RULE.
81	Tribal Reorganization Under a Federal Statute.
82	Petitioning Procedures for Tribes Reorganized Under Federal Statute and Other Organized Tribes.
101	Loans to Indians from the Revolving Loan Fund.
103	Loan Guaranty, Insurance and Interest Subsidy.
150	Land Records and Title Documents.
162	Leasing and Permitting.
166	General Grazing Regulations.
170	Roads of the Bureau of Indian Affairs.
171	Operation and Maintenance.
211	Leasing of Tribal Lands for Mining.
212	Leasing of Allotted Lands for Mining.
213	Leasing of Restricted Lands of Members of Five Civilized Tribes, Oklahoma for Mining, Except Oil and Gas.
214	Leasing of Osage Reservation Lands, Oklahoma, for Mining, Except Oil and Gas.
215	Lead and Zinc Mining Operations and Leases, Quapaw Agency.
216	Surface Exploration, Mining, and Reclamation of Lands.
217	Management of Tribal Assets of Ute Indian Tribe, Uintah and Ouray Reservation, Utah, by the Tribe and the Ute Distribution Corp.
227	Leasing of Certain Lands in Wind River Indian Reservation, Wyoming, for Oil and Gas Mining.
256	Housing Improvement Program.
286	Indian Business Development Program.

LIST OF RULES THAT ARE OBSOLETE OR REPLACED BY NEW RULES—BIA WILL REMOVE THESE RULES

25 CFR part	Title of rule
45	Special Education.
65	Preparation of a Membership Roll of Delaware Indians of Western Oklahoma.
66	Preparation of Rolls of Delaware Indians.
76	Enrollment of Indian of the San Pasqual Band of Mission Indians in California.
142	Operation of U.S.M.S. "North Star" between Seattle, Washington and Stations of the Bureau of Indian Affairs and other Government Agencies, Alaska.
250	Indian Fishing—Hoopa Valley Indian Reservation.
271	Contracts under Indian Self-determination Act—Replaced with new Part 900.
272	Grants under Indian Self-determination Act—Replaced with new Part 900.
274	School Construction Contracts or Services for Tribally Operated Previously Private Schools.
276	Uniform Administrative Requirements for Grants—Replaced with new Part 900.
278	Special Grants for Economic Development and Core Management Grants to Small Tribes—Replaced with new Part 900.

Dated: April 12, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

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Office of Surface Mining Reclamation and Enforcement

30 CFR Part 948

[WV-075-FOR]

West Virginia Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing the receipt of proposed amendments to the West Virginia permanent regulatory program (hereinafter referred to as the West Virginia program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendments concern revisions to the West Virginia Surface Mining Reclamation Regulations. The amendments are intended to improve the clarity and effectiveness of the West Virginia program, and to revise the State program to be consistent with the corresponding Federal regulations.

DATES: Written comments must be received on or before 4:00 p.m. on May 23, 1996. If requested, a public hearing on the proposed amendments will be held at 1:00 p.m. on May 20, 1996. Requests to present oral testimony at the hearing must be received on or before 4:00 p.m. on May 8, 1996.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Mr. James C. Blankenship, Jr., Director, Charleston Field Office at the address listed below.

Copies of the proposed amendment, the West Virginia program, and the administrative record on the West Virginia program are available for public review and copying at the addresses below, during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting the OSM Charleston Field Office.

Mr. James C. Blankenship, Jr., Director, Charleston Field Office, Office of Surface Mining Reclamation and Enforcement, 1027 Virginia Street, East, Charleston, West Virginia 25301, Telephone: (304) 347-7158
West Virginia Division of Environmental Protection, 10 McJunkin Road, Nitro, West Virginia 25143, Telephone: (304) 759-0515.

In addition, copies of the proposed amendments are available for inspection during regular business hours at the following locations:

Office of Surface Mining Reclamation and Enforcement, Morgantown Area Office, 75 High Street, Room 229, P.O. Box 886, Morgantown, West Virginia 26507, Telephone (304) 291-4004

Office of Surface Mining Reclamation and Enforcement, Beckley Area Office, 323 Harper Park Drive, Suite 3, Beckley, West Virginia 25801, Telephone (304) 255-5265.

FOR FURTHER INFORMATION CONTACT: Mr. James C. Blankenship, Jr., Director, Charleston Field Office; Telephone: (304) 347-7158.

SUPPLEMENTARY INFORMATION:

I. Background on the West Virginia Program

On January 21, 1981, the Secretary of the Interior conditionally approved the West Virginia program. Background information on the West Virginia program, including the Secretary's findings, the disposition of comments,

and the conditions of the approval can be found in the January 21, 1981, Federal Register (46 FR 5915-5956). Subsequent actions concerning the West Virginia program and previous amendments are codified at 30 CFR 948.10, 948.12, 948.13, 948.15, and 948.16.

II. Discussion of the Proposed Amendment

By letter dated April 2, 1996 (Administrative Record Number WV-1024), the West Virginia Division of Environmental Protection (WVDEP) submitted an amendment to its approved permanent regulatory program pursuant to 30b CFR 732.17. The amendment contains revisions to the West Virginia Surface Mining Reclamation Regulations (CSR section 38-2-1 *et seq.*).

The last time the State regulations were significantly revised was on February 21, 1996. The Director partially approved the revisions in the February 21, 1996, Federal Register (61 FR 6511-6537). See 30 CFR 948.15 for the provisions partially approved. See 30 CFR 948.16 for required amendments.

Proposed Amendments

1. Section 38-2-2-106 Definition of "Safety factor." This definition is revised to mean the ratio of the sum of the resisting forces to the sum of the loading or driving forces as determined by acceptable engineering practices. Prior to this change, the term was defined as the ratio of the sum of the resisting forces to the sum of the loading forces.

2. Section 38-2-3.2(e) Readvertisement of permit applications. This provision is amended by adding the phrase, "that do not significantly affect the health, safety or welfare of the public and," to the first sentence. With this change, a limited number of minor