Compliance: Required as indicated, unless accomplished previously.

To prevent incorrect routing and incorrect tension of the flight control lock cables and elevator control cables, which could result in inadvertent disconnection of those cables, and consequent reduced controllability of the airplane; accomplish the following:

(a) Within 60 days after the effective date of this AD, perform a one-time visual inspection to verify the correct routing and correct tension of the flight control lock cables and elevator control cables, in accordance with Fokker Service Bulletin SBF100–27–064, dated September 15, 1994.

(1) If the routing and tension of the flight control lock cables and elevator control cables are correct, as specified in the service bulletin, no further action is required by this AD.

(2) If the routing and/or tension of the flight control lock cables or the elevator control cables is not correct, as specified in the service bulletin, prior to further flight, reroute and/or adjust the tension of those cables, as necessary, in accordance with the service bulletin.

(b) 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, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(c) Special flight permits may be issued in accordance with sections 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 September 23, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–24888 Filed 9–27–96; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–217–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes, Model MD–88 Airplanes, and Model MD–90 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to all McDonnell Douglas Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes, that currently requires revising the Airplane Flight Manual (AFM) to include limitations and procedures to address situations in which the autopilot or autothrottle fails to disengage. That AD was prompted by incidents in which the flightcrew was unable to disconnect the autopilot or autothrottle function from the engaged position, due to a discrepancy in a microswitch that is associated with the operation of those functions. This action would require an inspection of the autopilot and autothrottle engage switches located in the flight guidance control panel, and installation of improved switches. Accomplishment of these actions would terminate the previous requirement for the AFM revision. The actions specified by the proposed AD are intended to ensure that the autopilot and autothrottle disengage when commanded to do so by the flightcrew.

DATES: Comments must be received by November 8, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–217–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: J. Kirk Baker, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5345; fax (310) 627–5210.

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 notice may be changed in light of the comments received.

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 notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–217–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–217–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On June 3, 1996, the FAA issued AD 96–12–21, amendment 39–9664 (61 FR 29007, June 7, 1996), applicable to all McDonnell Douglas Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes, to require revising the FAA-approved Airplane Flight Manual (AFM) to include limitations and procedures to address situations in which the autopilot or autothrottle fails to disengage. That AD was is prompted by incidents in which the flightcrew was unable to disconnect the autopilot or autothrottle function from the engaged position, due to a discrepancy in a microswitch that is associated with the operation of those functions. The requirements of that AD are intended to ensure the flight crew's ability to control the airplane manually if the autopilot or autothrottle function fails to disengage.

Actions Since Issuance of Previous Rule

Since the issuance of that AD, Honeywell Incorporated (the manufacturer of the microswitches) has developed improved autopilot and autothrottle switches that will preclude

the previous problems encountered with these items. Use of these improved switches will ensure that the autopilot and autothrottle disengage when commanded to do so by the flightcrew.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas MD–80 Service Bulletin MD80–22–122, dated August 6, 1996 (for Model DC–9–80 series airplanes and Model MD–88 airplanes); and McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996 (for Model MD–90 airplanes). Both of these bulletins describe procedures for inspecting, replacing, and functional testing the autopilot and autothrottle engage switches located in the flight guidance control panel (FGCP). Use of the improved switches will minimize the possibility of switches remaining in the ''ON'' position and preventing disengagement of the autopilot and autothrottle. (Both service bulletins refer to Honeywell Service Bulletin 4034242–22–13 for additional service instructions.)

The improved switches have been installed during production on Model DC–9–80 series airplanes and Model MD–88 airplanes having manufacturer's fuselage numbers 1326, 2145, and subsequent. They also have been installed during production on Model MD–90 series airplanes having manufacturer's fuselage numbers 2018, 2138, and subsequent.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 96–12–21 to require an inspection of the autopilot and autothrottle engage switches in the FGCP, and replacement of the switches with improved switches. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The installation of the improved switches would constitute terminating action for the AFM revision previously required by AD 96–12–21. Once the switches are installed, that revision may be removed from the AFM.

Cost Impact

There are approximately 970 Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes of the affected design in the worldwide fleet. The FAA estimates that 512 airplanes of U.S. registry would be affected by this proposed AD.

The AFM revision that is currently required by AD 96–12–21 takes approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact on U.S. operators of the actions currently required is estimated to be $30,720, or $60 per airplane.

The new actions that are proposed in this AD action would take approximately 1.5 work hours per airplane to accomplish (this figure includes inspection, removal, installation, and a functional check), at an average labor rate of $60 per work hour. Required parts would be provided by the manufacturer at no charge to operators. Based on these figures, the cost impact on U.S. operators of the proposed requirements of this AD is estimated to be $46,080, or $90 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of 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 39–9664 (61 FR 29007, June 7, 1996), and by adding a new airworthiness directive (AD), to read as follows:

McDonnell Douglas: Docket 96–NM–217–AD. Supersedes AD 96–12–21, Amendment 39–9664.

Applicability: Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and Model MD–88 airplanes, as listed in McDonnell Douglas Service Bulletin MD80–22–122, dated August 6, 1996; and Model MD–90 airplanes, as listed in McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996; 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 (d) 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.

To ensure the flight crew's ability to continue to control the airplane manually if the autopilot or autothrottle function fails to disengage, accomplish the following:

(a) Within 14 days after June 24, 1996 (the effective date of AD 96–12–21, amendment 39–9664), revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''If the autopilot or autothrottle fails to disconnect normally, press and hold the autopilot release button or either autothrottle release button, as appropriate. Refer to the Abnormal Procedures section for procedures if the autopilot or autothrottle fails to disconnect.''

(b) Within 14 days after June 24, 1996 (the effective date of AD 96–12–21, amendment 39–9664), revise the Abnormal Procedures

section of the FAA-approved AFM to include the following information. This may be accomplished by inserting a copy of this AD in the AFM.

''AUTOPILOT:

If the Autopilot (A/P) disconnects when the AUTOPILOT RELEASE button on either control wheel is depressed, *and* re-engages when the AUTOPILOT RELEASE button is released, accomplish the following procedures:

PROCEDURE: Use Autopilot (as desired)

AUTOPILOT RELEASE button: PRESS AND HOLD

- Hold either yoke (yellow) Autopilot Release button while continuing to fly the aircraft manually. The A/P will remain disengaged while depressing the button.
- When the Autopilot Release button is released, the A/P will engage and all A/P functions should work normally.

TO SILENCE THE AURAL WARNING:

CAWS C/B (P–38): PULL

- Circuit breaker is located behind the Captain's seat.
- Pulling the C/B will disable the Stall Warning SSRS–1, Landing Gear, Takeoff, Cabin Altitude, Speed Brake aural warnings, in addition to the Autopilot aural warning.

Caution: Do not attempt to overpower the autopilot. When the autopilot is engaged, applying force to the column may allow the alternate trim to reposition the stabilizer. If the force is applied long enough, it will result in an out-of-trim condition.''

''AUTOTHROTTLE:

If the Autothrottle (A/T) disconnects when either throttle disconnect button is depressed, *and* re-engages when throttle disconnect button is released, accomplish the following procedures:

PROCEDURE: Use Autothrottle System (as desired)

WHEN A DISCONNECT IS NECESSARY:

AUTOTHROTTLE RELEASE BUTTON: PRESS AND HOLD

- Press and hold either button until flashing red A/T annunciation is illuminated. Flashing red light indicates autothrottle is disconnected.
- AUTOTHROTTLE RELEASE BUTTON may then be released.
- The FMA A/T window will annunciate as though the A/T is engaged.
- The flashing red A/T annunciation of the FMA cannot be extinguished with repeated depression of the autothrottle release button.
- If the throttle levers are retarded to the idle stop, the flashing red A/T annunciation will extinguish, and the A/T system will re-engage.
- If the DFGC is selected to the IAS mode and the A/T SPEED mode is selected, the A/T system will re-engage.''

(c) Within 120 days after the effective date of this AD, accomplish the inspection and replacement of the autopilot and autothrottle engage switches in the flight guidance control panel (FGCP), in accordance with the paragraphs 3., 3.A., and 3.B. of the Accomplishment Instructions of McDonnell Douglas Service Bulletin MD80–22–122, dated August 6, 1996 (for Model DC–9–80 series airplanes and Model MD–88 airplanes); and McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996 (for Model MD–90 airplanes). Once these actions are completed, the AFM revision required by paragraphs (a) and (b) of this AD may be removed.

Note 2: The McDonnell Douglas service bulletins referenced in this paragraph refer to Honeywell Incorporated Service Bulletin 4034242–22–13 for additional service instructions.

(d) 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, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

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

(e) Special flight permits may be issued in accordance with sections 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 September 23, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–24887 Filed 9–27–96; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 756

[NA–003–FOR]

Navajo Nation Abandoned Mine Land Reclamation Plan

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

ACTION: Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the Navajo Nation abandoned mine land reclamation (AMLR) plan (hereinafter, the ''Navajo Nation plan'') under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to and additions of rules pertaining to project selection, limited liability, contractor responsibility, reports, certification of completion of coal sites, and utilities and other facilities. The amendment is intended to revise the Navajo Nation plan to meet the requirements of the corresponding Federal regulations, to incorporate the additional flexibility afforded by the revised Federal regulations, and to improve operational efficiency.

DATES: Written comments must be received by 4:00 p.m., m.d.t., October 30, 1996. If requested, a public hearing on the proposed amendment will be held on October 25, 1996. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t., October 15, 1996.

ADDRESSES: Written comments should be mailed or hand delivered to Guy Padgett at the address listed below. Copies of the Navajo Nation plan, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Albuquerque Field Office.

Guy Padgett, Director, Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 505 Marquette Avenue, NW., Suite 1200, Albuquerque, New Mexico 87102

Madeline Roanhorse, Acting Director, Abandoned Mine Land Reclamation Department, Division of Natural Resources, Navajo Nation, P.O. Box 1875, Window Rock, Arizona 86515.

FOR FURTHER INFORMATION CONTACT: Guy Padgett, Telephone: (505) 248–5070, Internet address: GPADGETT@CWYGW.OSMRE.GOV.

SUPPLEMENTARY INFORMATION:

I. Background on the Navajo Nation Plan

On May 16, 1988, the Secretary of the Interior approved the Navajo Nation plan. General background information on the Navajo Nation plan, including the Secretary's findings and the disposition of comments, can be found in the May 16, 1988, Federal Register (53 FR 17186). Subsequent actions concerning the Navajo Nation's plan and plan amendments can be found at 30 CFR 756.14.

II. Proposed Amendment

By letter dated September 3, 1996, the Navajo Nation submitted a proposed