

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 (e) 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 with whichever of the following is applicable:

- For airplanes that do not have Piper Fuel Tank Wedge Kit, part number 599-367, incorporated in accordance with Piper Service Bulletin (SB) 932A, dated August 30, 1990: Within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished; or
- For airplanes that do have Piper Fuel Tank Wedge Kit, part number 599-367, incorporated in accordance with Piper SB 932A, dated August 30, 1990: Upon installation of a new fuel tank.

To assist in eliminating water in the fuel tanks, which could result in rough engine operation or complete loss of engine power, accomplish the following:

(a) For all of the affected model and serial number airplanes, accomplish one of the following:

(1) Install external fuel ramp assemblies in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Floats and Fuel Cells (FFC) Engineering Specification 2810-002, Revision A, dated March 21, 1995; or

(2) Install a fuel tank drain valve in accordance with the instructions included with Transamerican Enterprises, Inc. TAE102688 Piper PA 23 Fuel Cell Drain Installation, dated September 30, 1996.

(b) For all of the affected Models PA-23 (PA-23-150), and PA-23-160 airplanes that do not have a dual fuel drain kit, part number (P/N) 765-363, installed in accordance with Piper SB 827A, dated November 4, 1988, incorporate, into the Owners Handbook and Pilots' Operating Handbook, paragraphs 1 through 5 of the *Aircraft Systems Operating Instructions* that are contained in Part I of Piper SB 827A, unless already accomplished (compliance with superseded AD 92-13-04).

Note 2: Paragraphs 6 and 7 of the *Handling and Servicing* instructions that are contained in Part I of Piper SB No. 827A, dated November 4, 1988, are covered by AD 88-21-07 R1.

(c) For all affected Models PA-23 (PA-23-150) and PA-23-160 airplanes equipped with non-baffled fuel cells, incorporating Piper Fuel Tank Wedge Kit, P/N 599-367, in accordance with Piper SB 932A, dated August 30, 1990, may be accomplished in place of either of the actions required by paragraph (a) of this AD.

Note 3: Operators of the affected airplanes are encouraged to change the airplane attitude so that the airplane is parked in a

nose-down position. This could aid in drainage and help assist in eliminating water in the fuel.

(d) 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.

(e) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

(2) Alternative methods of compliance approved in accordance with AD 92-13-04 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(f) All persons affected by this directive may obtain copies of the Engineering Specification 2810-002, Revision A, dated March 21, 1995, upon request to Floats & Fuel Cells, 4010 Pilot Drive, suite 3, Memphis, Tennessee 38118. The instructions included with Transamerican Enterprises, Inc. TAE102688 Piper PA 23 Fuel Cell Drain Installation, dated September 30, 1996, may be obtained from Transamerican Enterprises, Inc., 6778 Skyline Drive, Delray Beach, Florida 33446. Piper SB No. 827A, dated November 4, 1988, may be obtained upon request from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. These documents may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment supersedes AD 92-13-04, Amendment 39-8274.

Issued in Kansas City, Missouri, on February 4, 1998.

John R. Colomy,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-3517 Filed 2-11-98; 8:45 am]

BILLING CODE 4910-13-U

RAILROAD RETIREMENT BOARD

20 CFR Part 255

RIN 3220-AB34

Recovery of Overpayments

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: The Railroad Retirement Board (Board) hereby proposes to amend its regulations regarding

recovery of overpayments to explain what actuarial tables and interest rates are used to calculate an actuarial adjustment in an individual's annuity in order to recover an overpayment of benefits. The regulation also adds a provision to explain when an actuarial adjustment in an annuity takes effect when an annuity is paid by electronic funds transfer (EFT).

DATES: Comments shall be submitted on or before April 13, 1998.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Michael C. Litt, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4929, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Section 255.8 of the Board's regulations (62 FR 64164) provides for recovery of an overpayment by means of an actuarial adjustment. In accordance with this provision, an overpayment may be recovered by permanently reducing the annuity payable to the individual from whom recovery is sought. The calculation of the reduction is performed using actuarial tables. The current authority for the use of these tables is contained in a Board Order which is not readily available to the public. This proposed amendment would add language specifying that the Board will use the tables and interest rate adopted in accordance with the triennial evaluation of the railroad retirement trust funds as required by section 15(g) of the Railroad Retirement Act.

Where an annuity is paid by check, an actuarial reduction takes effect, and the overpayment is recovered, upon negotiation of the first check which reflects the adjustment. The Board proposes to add language to, provide that, in the case of an annuity paid by electronic funds transfer, the adjustment is effective when the first payment reflecting the actuarially adjusted rate is deposited.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 255.8

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, title 20, part 255 of the Code

of Federal Regulations is proposed to be amended as follows:

PART 255—RECOVERY OF OVERPAYMENTS

1. The authority citation for part 255 continues to read as follows:

Authority: 45 U.S.C. 231f(b)(5); 45 U.S.C. 231(i).

2. Section 255.8 is revised to read as follows:

§ 255.8 Recovery by adjustment in connection with subsequent payments.

(a) Recovery of an overpayment may be made by permanently reducing the amount of any annuity payable to the individual or individuals from whom recovery is sought. This method of recovery is called an actuarial adjustment of the annuity. The Board cannot require any individual to take an actuarial adjustment in order to recover an overpayment nor is an actuarial adjustment available as a matter of right. An actuarial adjustment becomes effective and the debt is considered recovered when, in the case of an individual paid by electronic funds transfer, the first annuity payment reflecting the annuity rate after actuarial adjustment is deposited to the account of the overpaid individual, or, in the case of an individual paid by check, the first annuity check reflecting the annuity rate after actuarial adjustment is negotiated.

Example. An annuitant agrees to recovery of a \$5,000 overpayment by actuarial adjustment. However, the annuitant dies before negotiating the first annuity check reflecting the actuarially-reduced rate. The \$5,000 is not considered recovered. If the annuitant had negotiated the check before he died, the \$5,000 would be considered fully recovered.

(b) In calculating any adjustment under this section, beginning with the first day of January after the tables and long-term or ultimate interest rate go into effect under section 15(g) of the Railroad Retirement Act (the triennial evaluation), the Board shall use those tables and long-term or ultimate interest rate.

Dated: February 4, 1998.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

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BILLING CODE 7905-01-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 57 and 75

RIN 1219-AA94

Safety Standards for the Use of Roof-Bolting Machines in Underground Mines

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Extension of comment period.

SUMMARY: MSHA is extending the comment period on its advance notice of proposed rulemaking addressing the use of roof-bolting machines in underground mines.

DATES: Submit all comments on or before March 9, 1998.

ADDRESSES: Comments may be transmitted by electronic mail, fax, or mail. Comments by electronic mail must be clearly identified as such and sent to this e-mail address:

comments@msha.gov. Comments by fax must be clearly identified as such and sent to: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 703-235-5551. Send mail comments to: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 631, Arlington, Virginia 22203-1984. Interested persons are encouraged to supplement written comments with computer files or disks; please contact the Agency with any questions about format.

FOR FURTHER INFORMATION CONTACT:

Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances at (703) 235-1910.

SUPPLEMENTARY INFORMATION: On December 9, 1997, MSHA published a notice in the **Federal Register** (62 FR 64789), requesting comments on the advance notice of proposed rulemaking (ANPRM) relating to Safety Standards for the Use of Roof Bolting Machines in underground mines. MSHA published the notice to afford an opportunity for interested persons to comment on the ANPRM and for commenters to provide additional information and data on machine design, operating procedures, and miners' experiences with roof-bolting machines.

The comment period was scheduled to close on February 9, 1998; however, in response to commenters' requests for additional time to prepare their comments, MSHA is extending the comment period until March 9, 1998. The Agency believes that this extension

will provide sufficient time for all interested parties to review and comment on the ANPRM. All interested parties are encouraged to submit their comments on or prior to March 9, 1998.

Dated: February 6, 1998.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

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BILLING CODE 4510-43-P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 206

RIN 1010-AC24

Establishing Oil Value for Royalty Due on Indian Leases

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would modify the regulations to establish the value for royalty purposes of oil produced from Indian leases and establish a new Minerals Management Service (MMS) form for collecting value and value differential data. These changes would decrease reliance on oil posted prices and use more publicly available information.

DATES: Comments must be submitted on or before April 13, 1998.

ADDRESSES: Mail written comments, suggestions, or objections regarding the proposed rule to: Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165; courier address is Building 85, Denver Federal Center, Denver, Colorado 80225; or e-Mail David_Guzy@mms.gov. MMS will publish a separate notice in the **Federal Register** indicating dates and locations of public hearings regarding this proposed rulemaking.

FOR FURTHER INFORMATION CONTACT:

David S. Guzy, Chief, Rules and Publications Staff, telephone (303) 231-3432, FAX (303) 231-3385, e-Mail David_Guzy@mms.gov, Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165.

SUPPLEMENTARY INFORMATION: The principal authors of this proposed rule are David A. Hubbard of Royalty Management Program (RMP), Lakewood, Colorado, and Peter