

dated April 19, 2007, except as provided by paragraph (g)(3) of this AD, do an initial dye penetrant or high-frequency eddy current (HFEC) inspection for cracking of the elevator actuator fittings, and, thereafter, do repetitive dye penetrant, HFEC, or detailed inspections at the applicable times specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 777-55A0015, dated April 19, 2007.

(2) Before further flight, replace any fitting found to be cracked during any inspection required by paragraph (g)(1) of this AD with a new fitting having the same part number, or an optional part number as identified in Boeing Alert Service Bulletin 777-55A0015, dated April 19, 2007; or Boeing Service Bulletin 777-55A0015, Revision 3, dated November 24, 2009. Thereafter, do initial and repetitive inspections of the replacement fitting at the time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 777-55A0015, dated April 19, 2007.

(3) Where Boeing Alert Service Bulletin 777-55A0015, dated April 19, 2007, specifies a compliance time after the date on that service bulletin, this AD requires compliance within the specified compliance time after January 22, 2008 (the effective date of AD 2007-26-05, Amendment 39-15307 (72 FR 71212, December 17, 2007)).

#### (h) New Additional Actions for Certain Airplanes

For airplanes on which the elevator actuator fitting assemblies have been replaced in accordance with and using the fastener torque values specified in Boeing Alert Service Bulletin 777-55A0016, dated October 27, 2009: Within 180 days after the effective date of this AD, do a detailed inspection of the elevator actuator fitting assemblies to detect discrepancies (including indications of fastener head movement, and fitting movement along the spar web), in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011.

(1) If no discrepancy is detected, do the actions specified in paragraphs (h)(1)(i) and (h)(1)(ii) of this AD:

(i) Repeat the inspection thereafter at intervals not to exceed 90 days or 360 flight cycles, whichever occurs first, until the actions specified in paragraph (h)(1)(ii) are done.

(ii) Within 4,200 flight cycles or 750 days after the effective date of this AD, whichever occurs first, replace the 12 bolts common to the elevator actuator fitting and the spar web, and do all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, except as provided by paragraph (j) of this AD. Do all applicable related investigative and corrective actions before further flight. The replacement of all 12 bolts in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, terminates the requirements of this AD for that fitting only.

(2) If any discrepancy is detected, before further flight, replace the 12 bolts common to

the elevator actuator fitting and the spar web using new parts, and do all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, except as provided by paragraph (j) of this AD. Do all applicable related investigative and corrective actions before further flight. The replacement of all 12 bolts in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, terminates the requirements of this AD for that fitting only.

#### (j) New Optional Replacement of Elevator Actuator Fitting Assembly

For airplanes on which the elevator actuator fitting assemblies have not been replaced in accordance with Boeing Alert Service Bulletin 777-55A0016, dated October 27, 2009: Replacement of these fitting assemblies with new parts, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, except as provided by paragraph (j) of this AD, terminates the requirements of this AD.

#### (j) Exception

If any discrepancy or cracking is found during any inspection required by this AD, and Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011, specifies to contact Boeing for appropriate action: Before further flight, repair, using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

#### (k) Credit for Previous Actions

(1) This paragraph provides credit for inspecting and replacing the elevator actuator fitting assemblies, as required by paragraphs (h) and (i) of this AD, if the replacement was performed before the effective date of this AD using Boeing Alert Service Bulletin 777-55A0016, dated October 27, 2009, and using the correct torque values as specified in Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011.

(2) This paragraph provides credit for inspecting and replacing actuator fittings, as required by paragraph (g) of this AD, if the inspection and replacement was performed before the effective date of this AD using the service bulletins specified in paragraphs (k)(2)(i) and (k)(2)(ii) of this AD and using the correct torque values as specified in Boeing Alert Service Bulletin 777-55A0016, Revision 1, dated August 25, 2011.

(i) Boeing Service Bulletin 777-55A0015, Revision 1, dated January 31, 2008.

(ii) Boeing Service Bulletin 777-55A0015, Revision 2, dated December 4, 2008.

#### (l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly

to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by The Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved for AD 2007-26-05, Amendment 39-15307 (72 FR 71212, December 17, 2007), are not approved as AMOCs for this AD.

#### (m) Related Information

(1) For more information about this AD, contact Melanie Violette, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 985057-3356; phone: 425-917-6422; fax: 425-917-6590; email: [melanie.violette@faa.gov](mailto:melanie.violette@faa.gov).

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 985057-3356. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on July 25, 2012.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-18882 Filed 8-2-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0804; Directorate Identifier 2012-NM-094-AD]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to supersede an existing airworthiness directive (AD)

that applies to certain The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP series airplanes; and certain Model 757-200, -200PF, and -300 series airplanes. The existing AD currently requires replacing the control switches of the forward, aft, and nose cargo doors for certain airplanes, and replacing the control switches of cargo doors 1 and 2 for certain airplanes. Since we issued that AD, we have determined that additional airplanes are affected by the identified unsafe condition. This proposed AD would continue to require replacing the control switches of the forward, aft, and nose cargo doors of Model 747 airplanes; and the control switches of cargo doors 1 and 2 of Model 757 airplanes; this proposed AD also adds airplanes to the applicability and revises the initial compliance times. We are proposing this AD to prevent injuries to persons and damage to the airplane and equipment.

**DATES:** We must receive comments on this proposed AD by September 17, 2012.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98057-3356. For information on the availability of this material at the FAA, call 425-227-1221.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9

a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Francis Smith, Aerospace Engineer, Cabin Safety & Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6457; fax: 425-917-6590; email: [francis.smith@faa.gov](mailto:francis.smith@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2012-0804; Directorate Identifier 2012-NM-094-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

On October 19, 2009, we issued AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009), for certain The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP series airplanes; and certain Model 757-200, -200PF, and -300 series airplanes. That AD requires replacing the control switches of the forward, aft, and nose cargo doors for certain airplanes, and replacing the control switches of cargo doors 1 and 2 for certain airplanes. That AD resulted from reports of problems associated with the uncommanded operation of cargo doors. We issued that AD to prevent injuries to persons and damage to the airplane and equipment.

**Actions Since Existing AD Was Issued**

Since we issued AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009), we have determined that additional airplanes are affected by the identified unsafe condition.

**Relevant Service Information**

We reviewed Boeing Special Attention Service Bulletin 747-52-2286, Revision 1, dated October 28, 2010. This service bulletin describes procedures for replacing the control switches of the forward, aft, and nose cargo doors with new switches. This service bulletin also adds Group 3 airplanes, and also changes the compliance time for Groups 1 and 2 airplanes.

**FAA’s Determination**

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of these same type designs.

**Proposed AD Requirements**

This proposed AD would retain all requirements of AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009). This proposed AD would add Group 3 airplanes, as specified in Boeing Special Attention Service Bulletin 747-52-2286, Revision 1, dated October 28, 2010, and would change the compliance time for Groups 1 and 2 airplanes. This proposed AD would also require accomplishing the actions specified in the service information described previously.

**Change to Existing AD**

This proposed AD would retain all requirements of AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009). Since AD 2009-22-08 was issued, the AD format has been revised, and certain paragraphs have been rearranged. As a result, the corresponding paragraph identifiers have changed in this proposed AD, as listed in the following table:

REVISED PARAGRAPH IDENTIFIERS

Requirement in AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009)	Corresponding requirement in this proposed AD
paragraph (f)	paragraph (g)

**Costs of Compliance**

We estimate that this proposed AD affects 225 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

## ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Number of airplanes	Cost on U.S. operators
Replacement [retained from existing AD 2009–22–08, Amendment 39 16059 (74 FR 55763, October 29, 2009)].	Up to 5 work-hours × \$85 per hour = \$425.	\$195	\$620	221	\$137,020
Replacement [new proposed action for added airplanes].	5 work-hours × \$85 per hour = \$425	195	620	4	2,480

According to the manufacturer, some of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

*For the reasons discussed above, I certify that the 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),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) 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.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by removing airworthiness directive (AD) 2009–22–08, Amendment 39–16059 (74 FR 55763, October 29, 2009), and adding the following new AD:

**The Boeing Company:** Docket No. FAA–2012–0804; Directorate Identifier 2012–NM–094–AD.

##### (a) Comments Due Date

The FAA must receive comments on this AD action by September 17, 2012.

##### (b) Affected ADs

This AD supersedes AD 2009–22–08, Amendment 39–16059 (74 FR 55763, October 29, 2009).

##### (c) Applicability

This AD applies to The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP series airplanes, certificated in any category, as identified in Boeing Special Attention Service Bulletin 747–52–2286, Revision 1, dated October 28, 2010; and Model 757–200, -200PF, and -300 series airplanes, certificated in any category, as identified in Boeing Special Attention Service Bulletin 757–52–0090, dated September 21, 2007.

##### (d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 52, Doors.

##### (e) Unsafe Condition

This AD was prompted by reports of problems associated with the uncommanded operation of cargo doors. We are issuing this AD to prevent injuries to persons and damage to the airplane and equipment.

##### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

##### (g) Retained Replacement

This paragraph restates the requirements of paragraph (f) of AD 2009–22–08, Amendment 39–16059 (74 FR 55763, October 29, 2009), with revised compliance times and service information. Replace the control switches, as specified in paragraph (g)(1) or (g)(2) of this AD, as applicable. Repeat the replacements thereafter at intervals not to exceed 72 months.

(1) For Groups 1 and 2 Model 747 airplanes as identified in Boeing Special Attention Service Bulletin 747–52–2286, Revision 1, dated October 28, 2010: Within 24 months after December 3, 2009 (the effective date of AD 2009–22–08, Amendment 39–16059 (74 FR 55763, October 29, 2009)), or within 72 months from the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness, whichever occurs later, replace the control switches of the forward, aft, and nose cargo doors, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747–52–2286, dated September 28, 2007; or Boeing Special Attention Service Bulletin 747–52–2286, Revision 1, dated October 28, 2010. As of the effective date of this AD, use only Boeing Special Attention Service Bulletin 747–52–2286, Revision 1, dated October 28, 2010, to do the actions specified in this paragraph.

(2) For Model 757 series airplanes: Within 24 months after December 3, 2009 (the effective date of AD 2009–22–08, Amendment 39–16059 (74 FR 55763, October 29, 2009)), replace the control switches of cargo doors 1 and 2, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757–52–0090, dated September 21, 2007.

##### (h) New Replacement

For Group 3 airplanes, as identified in Boeing Special Attention Service Bulletin 747–52–2286, Revision 1, dated October 28, 2010: Within 72 months from the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness, or within 12

months after the effective date of this AD, whichever occurs later, replace the control switches of the forward, aft, and nose cargo doors, as applicable, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747-52-2286, Revision 1, dated October 28, 2010. Repeat the replacements thereafter at intervals not to exceed 72 months.

**(i) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) AMOCs approved previously in accordance with AD 2009-22-08, Amendment 39-16059 (74 FR 55763, October 29, 2009), are approved as AMOCs for the corresponding provisions of this AD.

**(j) Related Information**

(1) For more information about this AD, contact Francis Smith, Aerospace Engineer, Cabin Safety & Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6457; fax: 425-917-6590; email: [francis.smith@faa.gov](mailto:francis.smith@faa.gov).

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98057-3356. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on July 26, 2012.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-19018 Filed 8-2-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF COMMERCE**

**Minority Business Development Agency**

**15 CFR Part 1400**

[Docket No. 120517080-2284-03]

**Petition for Inclusion of the Arab-American Community in the Groups Eligible for MBDA Services**

**AGENCY:** Minority Business Development Agency, Commerce.

**ACTION:** Notice of proposed rulemaking and request for comments; amendment.

**SUMMARY:** The Minority Business Development Administration publishes this notice to extend the date on which it plans to make its decision on a petition from the American-Arab Anti-Discrimination Committee requesting formal designation from July 30, 2012 to August 30, 2012.

**FOR FURTHER INFORMATION CONTACT:** For further information about this Notice, contact Josephine Arnold, Minority Business Development Agency, 1401 Constitution Avenue NW., Room 5053, Washington, DC 20230, (202) 482-2332.

**SUPPLEMENTARY INFORMATION:** On May 30, 2012, the Minority Business Development Agency (MBDA) published a notice of proposed rulemaking and request for comments regarding a petition received on January 11, 2012 from the American-Arab Anti-Discrimination Committee (ADC) requesting formal designation of Arab-Americans as a minority group that is socially or economically disadvantaged pursuant to 15 CFR Part 1400. The Notice included a thirty-day comment period that ended on June 29, 2012, but also stated that MBDA will make a decision on the petition no later than June 27, 2012. On June 12, 2012, MBDA published a notice in the **Federal Register** extending the date for making its decision to July 30, 2012. The Agency has determined that an additional thirty (30) day period for consideration of the issues addressed in the petition is necessary so that the agency can complete its independent review of the issues addressed in the petition and comments before making a decision. Therefore, the Agency has determined that the time in which it will make its decision on the petition will be no later than August 30, 2012. This extension will not prejudice the petitioner.

Minority Business Development Agency.

**David Hinson,**

*National Director.*

[FR Doc. 2012-18955 Filed 8-2-12; 8:45 am]

**BILLING CODE 3510-21-P**

**DEPARTMENT OF THE INTERIOR**

**Office of Surface Mining Reclamation and Enforcement**

**30 CFR Part 935**

[OH-254-FOR; Docket ID OSM-2012-0012]

**Ohio Regulatory Program**

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

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** We are announcing receipt of a proposed amendment to the Ohio regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Ohio's proposed amendment updates the Ohio Administrative Code (OAC) to address issues raised by OSM regarding consistency of Ohio's surface mining program with the final Federal rule relative to Ownership and Control, Permit and Application Information and Transfer, and Assignment or Sale of Permit Rights, which became effective December 3, 2007. The proposed amendment specifically alters the following regulations within the OAC: Definitions; Incorporation by reference; Permit applications, requirements for legal, financial, compliance, and related information; Permit applications, revisions, and renewals, and transfers, assignments, and sales of permit rights; Improvidently issued permits; and Enforcement and Individual civil penalties. By submittal of this proposed amendment, Ohio intends to revise its approved program pursuant to the additional flexibility afforded by the revised Federal regulations and SMCRA, as amended, to ensure Ohio's proposed regulatory provisions are no less effective than the corresponding regulations. This document provides the times and locations that the Ohio program and proposed amendment are available for public inspection, the comment period during which you may submit written comments on this amendment, and the procedures that we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on these amendments until