

terminating action for the repetitive inspection requirement of this AD.

(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 initial and repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office (ACO), Europe, Africa, Middle East office, FAA, c/o American Embassy, B-1000, Brussels, Belgium. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

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

(f) All persons affected by this directive may obtain copies of the documents referred to herein upon request to Jetstream Aircraft Limited, Manager Product Support, Prestwick Airport, Ayrshire, KA9 2RW Scotland; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E 12th Street, Kansas City, Missouri 64106.

(g) This amendment supersedes AD 83-05-01, Amendment 39-4573.

Issued in Kansas City, Missouri, on February 24, 1995.

**Barry D. Clements,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

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## RAILROAD RETIREMENT BOARD

### 20 CFR Part 200

[RIN 3220-AB12]

#### General Administration

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board (Board) proposes to amend its regulations to explain when the Board will provide custom tailored information to a member of the public and to set forth the charges for such special services. The Board also proposes to amend its regulations to explain when the Board may provide custom tailored information without charging for that service.

**DATES:** Comment shall be submitted on or before May 1, 1995.

**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:** OMB Circular A-25 establishes Federal policy regarding fees to be assessed for special benefits. In the case of the Railroad Retirement Board those benefits would be the provision of custom tailored or non-routine information services. The Board proposes to require payment of the Board's actual costs, as defined in the proposed rule, for the provision of such services. Consistent with OMB Circular A-25, the proposed rule provides that if it is determined that the identity of the specific beneficiary is obscure and that provision of the information can be considered primarily as benefiting broadly the general public, then the Board may determine in a particular case not to charge for the service. However, consistent with the authority contained in section 12(d) of the Railroad Unemployment Insurance Act (which is incorporated into the Railroad Retirement Act by section 7(b)(3) of the Act), the proposed regulation provides that charges may be assessed in any specific case. This regulation does not cover information which is required to be disclosed by statute or regulation such as information required to be disclosed under the Freedom of Information Act.

The Board, in conjunction with 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 200

Railroad employees, Railroad retirement, Railroad unemployment insurance.

For the reasons set out in the preamble, title 20, chapter II, part 200 of the Code of Federal Regulations is proposed to be amended as follows:

#### PART 200—GENERAL ADMINISTRATION

1. The authority citation for part 200 continues to read as follows:

**Authority:** 45 U.S.C. 231f(b)(5) and 45 U.S.C. 362; § 200.4 also issued under 5 U.S.C. 552; § 200.5 also issued under 5 U.S.C. 552a; § 200.6 also issued under 5 U.S.C. 552b; and § 200.7 also issued under 31 U.S.C. 3717.

2. Section 200.4 is amended by adding paragraphs (o) and (p) to read as follows:

#### § 200.4 Availability of information to public.

\* \* \* \* \*

##### (o) Custom Tailored Information Services; Fees Charged.

This paragraph and paragraph (p) of this section set forth the policy of the Railroad Retirement Board with respect to the assessment of a fee for providing custom tailored information where requested. Except as provided in paragraphs (o)(4) (vii) and (p) of this section, a fee shall be charged for providing custom tailored information.

(1) *Definition: Custom tailored information.* Custom tailored information is information not otherwise required to be disclosed under this part but which can be created or extracted and manipulated, reformatted, or otherwise prepared to the specifications of the requester from existing records. For example, the Board needs to program computers to provide data in a particular format or to compile selected items from records, provide statistical data, ratios, proportions, percentages, etc., and this data is not already compiled and available, the end product would be the result of custom tailored information services.

(2) *Providing custom tailored information.* The Board is not required to provide custom tailored information. It will do so only when the appropriate fees have been paid as provided in paragraph (o)(4) of this section and when the request for such information will not divert staff and equipment from the Board's primary responsibilities.

(3) *Requesting custom tailored information.* Information may be requested in person, by telephone, or by mail. Any request should reasonably describe the information wanted and may be sent to the Director of Administration, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092.

(4) *Fee schedule.* Request for custom tailored information are chargeable according to the following schedule:

(i) *Manual searching for records.* Full cost of the time of the employees who perform the service, even if records cannot be found, management and supervisory costs, plus the full costs of any machine time and materials the employee uses. Consulting and other indirect costs will be assessed as appropriate.

(ii) *Photocopying or reproducing records on magnetic tapes or computer diskettes.* The charge for making photocopies of any size document shall

be \$.10 per copy per page. The charge for reproducing records on magnetic tapes or computer diskettes is the full cost of the operator's time plus the full cost of the machine time and the materials used.

(iii) *Use of electronic data processing equipment to obtain records.* Full cost for the service, including computer search time and computer runs and printouts, and the time of computer programmers and operators and of other employees.

(iv) *Certification or authentication.* Full cost of certification and authentication.

(v) *Providing other special services.* Full cost of the time of the employee who performs the service, management and supervisory costs, plus the full costs of any machine time and materials the employee uses. Consulting and other indirect costs will be assessed as appropriate.

(vi) *Special forwarding arrangements.* Full cost of special arrangements for forwarding material requested.

(vii) *Statutory supersession.* Where a Federal statute prohibits the assessment of a charge for a service or addresses an aspect of that charge, the statute shall take precedence over this regulation.

(p) *Assessment of a Fee with Respect to the Provision of Custom Tailored Information Where the Identification of the Beneficiary Is Obscure and Where Provision of the Information Can be Seen as Benefiting the Public Generally.* When the identification of a specific beneficiary with respect to the provision of custom tailored information is obscure, the service can be considered primarily as benefiting broadly the general public, and the estimated cost of providing the information is less than \$1,000.00, the Director of Administration shall determine whether or not a fee is to be charged. In any such case where the cost is \$1,000.00 or more, the request shall be referred by the Director of Administration to the three-member Board for a determination whether or not a fee is to be assessed.

\* \* \* \* \*

Dated: February 23, 1995.

By Authority of the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 925

#### Missouri Regulatory Program

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

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

**SUMMARY:** OSM is announcing the receipt of a proposed amendment to the Missouri regulatory program (hereinafter, the "Missouri program") under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*, SMCRA). The proposed amendment consists of changes to provisions of the Missouri regulations pertaining to definitions, topsoil redistribution, impoundment design, disposal of coal processing and noncoal waste, backfilling and grading, coal exploration, fish and wildlife plan, permit approval findings, notice of violations, and eligibility for small operators assistance. The amendment is intended to revise the State program to be consistent with the corresponding Federal standards, clarify ambiguities, and improve operational efficiency.

This notice sets forth the times and locations that the Missouri program and proposed amendment to that program are available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and procedures that will be followed regarding the public hearing, if one is requested.

**DATES:** Written comments must be received by 4:00 p.m., c.s.t. April 3, 1995. If requested, a public hearing on the proposed amendment will be held on March 27, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., c.s.t. on March 17, 1995.

**ADDRESSES:** Written comments should be mailed or hand delivered to Michael C. Wolfrom at the address listed below.

Copies of the Missouri program, the proposed amendment, and all written comments received in response to this notice 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 Kansas City Field Office.

Michael C. Wolfrom, Acting Director, Kansas City Field Office, Office of Surface Mining Reclamation and Enforcement, 934 Wyandotte, Room 500, Kansas City, MO 64105, Telephone: (816) 374-6405  
Land Reclamation Program, Missouri Department of Natural Resources, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102, Telephone: (314) 751-4041.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Wolfrom, telephone: (816) 374-6405.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Missouri Program

On November 21, 1980, the Secretary of Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, **Federal Register** (45 FR 77017). Subsequent actions concerning Missouri's program and program amendments can be found at 30 CFR 925.12, 925.15, and 925.16.

##### II. Proposed Amendment

By letter dated February 10, 1995 (administrative record No. MO-612), Missouri submitted a proposed amendment to its program pursuant to SMCRA. Missouri submitted the proposed amendment with the intent of satisfying the required program amendments at 30 CFR 925.16 (b)(4), (p)(9), and (q)(1) through (q)(5), and at its own initiative to improve its program. The amendment also contains nonsubstantive revisions to eliminate editorial and typographical errors and to accomplish necessary recodification required by the addition or deletion of provisions.

Specifically, Missouri proposes to revise (1) 10 Code of State Regulations (CSR) 40-3.030(4) to require that contamination of topsoil be prevented during redistribution; (2) 10 CSR 40-3.040(10)(B)5 to reference the January 1991, U.S. Natural Resources Conservation Service (formerly the Soil Conservation Service) technical document, Practice Standards 378, concerning impoundment design; (3) 10 CSR 40-3.110(3)(A)1 to clarify that the requirements of this section apply to coal seams, combustible materials, and acid- and toxic-forming materials, to require that coal processing waste and noncoal waste be covered in accordance with the regulations for disposal of coal processing waste at 10 CSR 40-3.080, and to delete the existing requirement