

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 (c) 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 prevent loss of braking capability and possible brake fire due to failure of the brake pistons, accomplish the following:

(a) Within 9 months after the effective date of this AD, or at the next scheduled or unscheduled brake overhaul, whichever occurs first: Modify ABCS wheel brake assemblies having P/N 5008132-2, -3, -4, -5, -6, or -7, all serial numbers, by accomplishing either paragraph (a)(1) or (a)(2) of this AD.

(1) Replace the brake assemblies with modified units having stainless steel pistons, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-32-092, dated January 11, 1995. Or

(2) Install a cylinder sleeve kit in accordance with Aircraft Braking Systems Service Bulletin Fo100-32-63, dated January 13, 1995.

(b) As of the effective date of this AD, no person shall install an ABCS brake assembly having part number 5008132-2, -3, -4, -5, -6, or -7, on any airplane unless it has been modified in accordance with Fokker Service Bulletin SBF100-32-092, dated January 11, 1995, or Aircraft Braking Systems Service Bulletin Fo100-32-63, dated January 13, 1995.

(c) 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.

(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.

Issued in Renton, Washington, on April 4, 1996.

Darrell M. Pederson,  
Acting Manager, Transport Airplane  
Directorate, Aircraft Certification Service.  
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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 926

[SPATS No. MT-018-FOR]

#### Montana Regulatory Program

**AGENCY:** Office of Surface Mining, Reclamation and Enforcement, U.S. Department of the 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 Montana regulatory program (hereinafter, the "Montana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to the Montana Coal and Uranium Bureau's rules pertaining to permit renewals, permit requirements, and notice of intent to prospect. The amendment is intended to revise the Montana program to provide additional safeguards, clarify ambiguities and improve operational efficiency.

**DATES:** Written comments must be received by 4:00 p.m., m.d.t. on May 10, 1996. If requested, a public hearing on the proposed amendment will be held on May 6, 1996. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t. on April 25, 1996.

**ADDRESSES:** Written comments should be mailed or hand delivered to the Casper Field Office Director at the address listed below.

Copies of the Montana program, the proposed amendment, and all written comments received in response to this document will be available for public review at the address 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 Casper Field Office.

Guy Padgett, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East "B" Street, Federal Building—Room 2128, Casper, Wyoming 82601-1918  
Gary Amestoy, Administrator, Reclamation Division, Dept. of Environmental Quality, P.O. Box 201601, Helena, Montana 59620, Telephone 406/444-2074

**FOR FURTHER INFORMATION CONTACT:** Guy Padgett, Telephone: 307/261-6500.

## SUPPLEMENTARY INFORMATION:

### I. Background of the Montana Program

On April 1, 1980, the Secretary of the Interior conditionally approved the Montana program. General background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program can be found in the April 1, 1980, Federal Register (45 FR 21560). Subsequent actions concerning Montana's program and program amendments can be found at 30 CFR 926.15, 926.16 and 926.30.

### II. Proposed Amendment

By letter dated March 5, 1996, Montana submitted a proposed amendment to its program pursuant to SMCRA (administrative record No. MT-15-01, 30 U.S.C. 1201 *et seq.*). Montana submitted the proposed amendment at its own initiative. The provisions of the Administrative Rules of Montana that Montana proposed to revise were: 26.4.410, permit renewal; 26.4.1001, permit requirement; and 26.4.1001A, notice of intent to prospect.

Specifically, Montana proposes to revise the Montana program to 1) revise the timeframe for the application of strip mine operating permit renewals from the present 120 to 150 days, to the proposed 240 to 300 days and on an application form provided by the Montana Department of Environmental Quality; 2) add a requirement that for prospecting (exploration) activities that are conducted to determine the location, quality or quantity of a natural mineral deposit and that will substantially disturb, as defined in ARM 26.4.301, the natural land surface, a permit will be required; and 3) that a notice of intent be filed with the Montana Department of Environmental Quality for prospecting (exploration) conducted for the purpose of determining the location, quality, or quantity of a natural mineral deposit but does not substantially disturb, as defined in ARM 26.4.301, the natural land surface.

### III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Montana program.

#### 1. Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include

explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Casper Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

## 2. Public Hearing

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.d.t., on April 25, 1996. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify have been heard.

## 3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the administrative record.

## IV. Procedural Determinations

### 1. Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

### 2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and the Federal regulations at 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

### 3. National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

### 4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

### 5. Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal that is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

## List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 3, 1996.

Russell F. Price,

*Acting Regional Director, Western Regional Coordinating Center.*

[FR Doc. 96-8921 Filed 4-9-96; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[OPP-300420; FRL-5361-2]

### Potassium Citrate; Tolerance Exemption

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes that residues of potassium citrate (CAS Reg. No. 866-84-2) be exempted from the requirement of a tolerance when used as an inert ingredient (chelating agent and pH control) in pesticide formulations applied to growing crops, raw agricultural commodities after harvest, and animals. This proposed regulation was requested by Monsanto Company and Zeneca Ag Products pursuant to the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** Comments, identified by the docket control number [OPP-300420], must be received on or before May 10, 1996.

**ADDRESSES:** By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person deliver comments to: Rm. 1132, Crystal Mall CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 1132 at the address given above,