

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

amendment to its plan (administrative record No. NA-245) pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). The Navajo Nation submitted the proposed amendment at its own initiative and in response to a September 24, 1994, letter (administrative record No. NA-228) that OSM sent to the Navajo Nation in accordance with 30 CFR 884.15(b). The provisions of the Navajo Nation Rules of the Navajo Reclamation Plan that the Navajo Nation proposes to revise and add are: policies and procedures for the Navajo Reclamation Program at subsection II, E.1, concerning project selection; general coal reclamation requirements at (1) subsection II, L.1(h), concerning limited liability, (2) subsection II, L.1(i), concerning contractor responsibility, and (3) subsection II, L.1(j)), concerning reports; general noncoal reclamation requirements at (1) subsection II, L.2(c), concerning limited liability, (2) subsection II, L.2(d), concerning limited liability, (2) subsection II, L.2(d), concerning contractor responsibility, and (3) subsection II, L.2(e), concerning reports; certification of completion of coal sites at (1) subsection II, M.1(d), concerning coal-related problems that may occur after submission of the certification of completion and (2) subsection II, M.2 (a) and (b), concerning noncoal reclamation priorities; and utilities and other facilities at subsection II, P.1, 2, and 3, concerning submission and qualification for abandoned mine land (AML) funding and public participation.

Specifically, the Navajo Nation proposes to add new language to its rules at II, E.1 to provide that "[r]eclamation techniques for the specified noncoal mine closure and radioactive mine wastes will ensure compliance with the in house Health Physics Standards and Guidelines in the absence of any Tribal or Federal clean up standards specific to abandoned mine lands. The mine wastes contain low level radioactivity, but the levels are such that the reclamation work can be safely conducted if the health and safety standards are strictly followed. Departmental verification of the clean up Standards will be performed at each disturbed area(s)."

The Navajo Nation proposes the addition of new language at II, L.1(h) for coal and II, L.2(c) for noncoal to provide that "[t]he Navajo Nation shall not be liable under any provision of Federal, State, or Tribal law for any costs or damages as a result of action taken or omitted in the course of carrying out this plan. This section shall not preclude liability for costs or damages as a result of gross negligence or

intentional misconduct by the Navajo Nation. For purposes of the preceding sentence, reckless, willful, or wanton misconduct shall constitute gross negligence or intentional misconduct."

The Navajo Nation proposes to add new rule provisions at II, L.1(i) for coal and II, L.2(d) for noncoal to require that "[t]o receive AML funds, every successful bidder for a Tribal AML contract must be eligible under 30 CFR 773.15(b)(1) at the time of contract award to receive a permit or conditional permit to conduct surface coal mining operations. Bidder eligibility must be confirmed by OSM's automated Applicant/Violator System."

Additionally, the Navajo Nation proposes the new rules at II, L.1(j) for coal and II, L.2(e) for noncoal to require that "[a] Form OSM-76, "Abandoned Mine Land Problem Area Description," shall be submitted to OSM upon noncoal project completion to report the accomplishments achieved through the project."

The Navajo Nation is proposing to delete the requirements at II, M.1(d), which provides that "[a] description of the nation's ability or provisions to fund all potential coal related problems that may occur after submission of the certification of completion and during the life of the approved abandoned mine reclamation program," at II, M.2(a), which provides that "[t]his paragraph applies to reclamation projects involving the restoration of lands and water adversely affected by past mineral mining; projects involving the protection, repair, replacement, construction, or enhancement of utilities (such as those relating to water supply, roads, and such other facilities serving the public adversely affected by mineral mining and processing practices); and the construction of public facilities in communities impacted by coal and other mineral mining and processing practices," and at II, M.2(b), which provides that "[n]otwithstanding the requirements specified in paragraph (a) of this section, where the Navajo Nation President determines there is a need for activities or construction of specific public facilities related to the coal or minerals industry impacted by coal or minerals development, Part O entitled "Utilities and Other Facilities" of this Plan shall apply."

The Navajo Nation is also proposing to delete section II, P. in its entirety. This section pertains to the submission of information concerning projects to be funded using AML funds and the findings to be made by OSM's Director, the qualifications that such projects must meet to be selected, and public

notification and solicitation of comments.

In addition, the Navajo Nation proposes some minor editorial changes.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 884.15(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable plan approval criteria of 30 CFR 884.14. If the amendment is deemed adequate, it will become part of the Navajo Nation plan.

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 Albuquerque 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., October 15, 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 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (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 Tribe or State AMLR plans and revisions thereof since each such plan is drafted and promulgated by a specific Tribe or State, not by OSM. Decisions on proposed Tribe or State AMLR plans and revisions thereof submitted by a Tribe or State are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and the applicable Federal regulations at 30 CFR Parts 884 and 888.

3. National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed Tribe or State AMLR plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

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 Tribe or State submittal which is the subject of this rule is based upon Federal regulations for which an economic analysis was prepared and certification made that such regulation would not have a significant economic effect upon a

substantial number of small entities. Accordingly, this rule will ensure that existing requirements established by SMCRA or previously promulgated by OSM will be implemented by the Tribe or State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

6. Unfunded Mandates Reform Act

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or private sector.

List of Subjects in 30 CFR Part 756

Abandoned mine reclamation programs, Indian lands, Surface mining, Underground mining.

Dated: September 20, 1996.

James F. Fulton,

Acting Regional Director, Western Regional Coordinating Center.

[FR Doc. 96-24963 Filed 9-27-96; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 10

[Docket No. 960828233-6233-01]

RIN 0651-AA92

Registration Examination for Patent Practitioners and the Establishment of a Continuing Education Requirement and an Annual Fee for Registered Patent Practitioners

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Advance notice of proposed rulemaking and notice of hearings.

SUMMARY: The Patent and Trademark Office (PTO) will hold public hearings, and request comments, on issues relating to the administration and format of the Registration Examination for Patent Practitioners and to the establishment of a continuing education requirement and an annual fee for registered patent practitioners. Interested members of the public are invited to testify at public hearings and to submit written comments on the topics outlined in the supplementary information section of this notice.

DATES: Public hearings will be held on October 29, 1996, November 20, 1996, and December 3, 1996 starting at 9:00 a.m. and ending no later than 5:00 p.m.

Those wishing to present oral testimony at the hearings must request an opportunity to do so no later than October 22, 1996, for the October 29, 1996 hearing; November 13, 1996, for the November 20, 1996 hearing; or November 26, 1996 for the December 3, 1996 hearing.

Written comments will be accepted by the PTO until December 6, 1996. Written comments and transcripts of the hearings will be available for public inspection on or about December 20, 1996.

ADDRESSES: The October 29, 1996 hearing will be held in San Francisco, California. Additional information on location will be subsequently available from the PTO.

The November 20, 1996 hearing will be held in Dallas, Texas. Additional information on location will be subsequently available from the PTO.

The December 3, 1996 hearing will be held at the Crystal Forum, Crystal Mall 1, 1911 South Clark Place, Arlington, Virginia.

Requests to testify and for additional information on hearing locations should be sent to G. Lee Skillington by facsimile transmission to (703) 305-8885, by mail marked to his attention addressed to Commissioner of Patents and Trademarks, Box 4, Washington, D.C. 20231 or by Internet electronic mail to oedcommt@uspto.gov.

Written comments should be sent via mail marked to the attention of G. Lee Skillington and addressed to Commissioner of Patents and Trademarks, Box 4, Washington, D.C. 20231 or via Internet electronic mail to oedcommt@uspto.gov. They will be maintained for public inspection in Room 902 of Crystal Park 2, 2121 Crystal Drive, Arlington, Virginia. They will also be made available via the PTO's World Wide Web site at <http://www.uspto.gov>.

FOR FURTHER INFORMATION CONTACT: G. Lee Skillington by telephone at (703) 305-9300, by facsimile transmission at (703) 305-8885, by mail marked to his attention addressed to Commissioner of Patents and Trademarks, Box 4, Washington, D.C. 20231, or by electronic mail at oedcommt@uspto.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to 35 U.S.C. 31 and 32, and 37 CFR Part 10, the PTO's Office of Enrollment and Discipline (OED) receives and acts upon applications for registration to practice before the PTO in patent cases, prepares and grades the Registration Examination for Patent Practitioners (Registration Examination),