

(h) *System safety assessment.* The applicant must perform a system safety assessment. This assessment must identify faults or failures that affect normal operation, together with the predicted frequency of occurrence of these faults or failures. The intended aircraft application must be taken into account to assure the assessment of the engine system safety is valid. The rates of hazardous and major faults must be declared, documented, and provided to the installer as part of the requirements in § 33.5.

Issued in Kansas City, Missouri, on January 22, 2026.

**Patrick R. Mullen,**

*Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 816

[Docket ID: OSM-2025-0025 S1D1S  
SS08011000 SX064A000 256S180110;  
S2D2S SS08011000 SX064A000  
25XS501520]

**RIN 1029-AD03**

#### Backfilling and Grading

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

**ACTION:** Direct final rule; delay of effective date.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is delaying the effective date of the direct final rule “Backfilling and Grading,” published on November 28, 2025. The direct final rule rescinded a regulation that prescribed time and distance performance standards for the completion of rough backfilling and grading for surface mining operations, which was suspended by the Secretary of the Interior in 1992 but never removed from the Code of Federal Regulations. During the comment period, OSM received comments that require further review and consideration to determine whether they are significant adverse comments warranting a response, withdrawal, or modification of the final rule.

**DATES:** As of January 27, 2026, the effective date of the direct final rule published November 28, 2025, at 90 FR 54573 is delayed until March 30, 2026.

**FOR FURTHER INFORMATION CONTACT:** James Tyree, Chief, Division of Regulatory Support, (202) 208-4479, [jtyree@osmre.gov](mailto:jtyree@osmre.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The direct final rule published at 90 FR 54573 included a 30-day public comment period that ended on December 29, 2025. The effective date of the direct final rule was January 27, 2026.

As explained in the direct final rule, the inoperative regulation intended to be removed in this rulemaking was, after a series of rule promulgations and lawsuits, suspended in 1992. 30 CFR 816.101 has not had any legal effect since 1992 but remained in the Code of Federal Regulations because OSM never completed the necessary steps to remove the language.

The Department and OSM maintain the position that it is confusing to allow inoperative provisions to remain in the Federal regulations. However, at the close of the comment period, OSM received several comments on the direct final rule that may be considered significant adverse comments. OSM has determined that the effective date of the direct final rule should be delayed by 60 days to allow it additional time to review and consider whether one or more of the comments received on the direct final rule are significant adverse comments warranting a response, withdrawal, or modification of the final rule.

**Lanny E. Erdos,**

*Acting Assistant Secretary, Land and Minerals Management.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 816 and 817

[Docket No. OSM-2025-0010; S1D1S  
SS08011000 SX064A000 256S180110;  
S2D2S SS08011000 SX064A000  
25XS501520]

**RIN 1029-AC92**

#### Rescission of Portions of Permanent Program Performance Standards Related to Siltation Structures

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is confirming the effective date of January 27, 2026, for the direct final rule “Rescission of Portions of Permanent Program Performance Standards Related to Siltation Structures,” published on November 28, 2025. The direct final rule removes paragraphs that required that all surface drainage from the disturbed area pass through a siltation structure before leaving the permit area. These provisions were struck down by a reviewing court in 1985 and have no legal effect but were never removed from the Code of Federal Regulations. During the comment period, OSM received one substantive comment. That comment was not a significant adverse comment because it did not effectively challenge the rule’s underlying premise or approach or explain why the rule would be inappropriate without a change. As a result, the comment does not warrant a delay of the effective date.

**DATES:** The effective date of the rule is January 27, 2026.

**FOR FURTHER INFORMATION CONTACT:**

James Tyree, Division of Regulatory Support, (202) 208-4479, [jtyree@osmre.gov](mailto:jtyree@osmre.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** The direct final rule published at 90 FR 54575 will become effective on January 27, 2026. OSM received one substantive comment on the direct final rule during the comment period, but that comment was not a significant adverse comment and