

federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this 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); and (3) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39-8247 (57 FR 19249, May 5, 1992), and by adding a new airworthiness directive (AD), to read as follows:

McDonnell Douglas: Docket 95-NM-127-AD. Supersedes AD 92-10-13, Amendment 39-8247.

Applicability: Model DC-9-80 series airplanes and Model MD-88 airplanes equipped with digital flight guidance computers (DFGC) having part numbers other than 4034241-972; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in

this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent automatic thrust lever advance on a surging engine during takeoff, which could cause engine failure, accomplish the following:

(a) Within 30 days after May 20, 1992 (the effective date of AD 92-10-13, amendment 39-8247), revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

"Limitations Section

Autothrottles must be disconnected if engine surge (stall) is detected during takeoff."

(b) Within 30 days after May 20, 1992 (the effective date of AD 92-10-13, amendment 39-8247), revise the Procedures Section of the FAA-approved AFM to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

"Procedures Section

CAUTION

During takeoff, the Digital Flight Guidance Computer (DFGC) engine failure logic is armed if (1) the flight director pitch axis is in takeoff mode, (2) the aircraft is above 400 feet radio altitude, and (3) both engine pressure ratios (EPR's) are below the go-around EPR limit. If the DFGC detects an EPR drop greater than or equal to 0.25 EPR and 7% N1 from the same engine, as compared to the other engine, the engine failure logic is satisfied and the DFGC will change the Thrust Rating Panel (or indicator) thrust limit to Go-Around (GA). This will cause the autothrottle system to unclamp and enter normal EPR limit (EPR LIM) mode where the throttles will maintain the higher engine EPR at the selected go-around thrust rating EPR LIM. Such an EPR and N1 drop may also result from an engine surge (stall). Advancing thrust levers on a surging engine will hinder surge recovery and may result in eventual engine failure.

If an engine surge (stall) is detected during takeoff:

- (1) Disconnect autothrottles.
- (2) Reduce thrust on affected engine (idle if necessary).
- (3) Shut down the affected engine if surging and popping continues.
- (4) If affected engine surging or popping stops, accomplish the following:
 - A. Place ignition switch to GRD START & CONTIN.
 - B. Place ENG anti-ice switches to ON.
 - C. Place PNEU X-FEED VALVE lever OPEN on affected side.
 - D. Place AIR FOIL anti-ice switches ON.
 - E. Advance affected throttle slowly.
- (5) If engine surging or popping returns, turn the ENG anti-ice switch OFF.

(6) After normal operation has been established, the autothrottles may be re-engaged.

Note: A NO MODE light may be annunciated due to abnormal bleed configuration."

(c) Within 60 months after the effective date of this AD, remove any DFGC having a part number other than 4034241-972, and replace it with a DFGC having part number 4034241-972, in accordance with McDonnell Douglas Service Bulletin MD80-22-111, dated May 23, 1995. Once these actions are accomplished, the AFM revisions required by paragraphs (a) and (b) of this AD may be removed.

Note 2: McDonnell Douglas Service Bulletin MD80-22-111, dated May 23, 1995, references Honeywell Service Bulletin 4034241-22-44, dated May 22, 1995, as an additional source of service information.

Note 3: Paragraph 1.B of McDonnell Douglas Service Bulletin MD80-22-111, dated May 23, 1995, specifies certain concurrent actions that affect airplanes equipped with DFGC's having part numbers other than 4034241-971.

(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 4: 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 October 12, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-25837 Filed 10-17-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Parts 929 and 937

Florida Keys National Marine Sanctuary

AGENCY: Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public hearings on proposed rules.

SUMMARY: The OCRM is announcing the dates and places of public hearings on a proposed rule published in the Federal Register of March 30, 1995 (60 FR 16399) concerning the Florida Keys National Marine Sanctuary.

DATES: For the dates of the hearings see the **SUPPLEMENTARY INFORMATION** section.

ADDRESSES: For the locations of the hearing see the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Ben Haskell at (305) 743-2437. Copies of the DEIS/MP and Proposed Rules are available upon request to the Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, FL 33050.

SUPPLEMENTARY INFORMATION: The Florida Keys National Marine Sanctuary was designated by Congress and the President (P.L. 101-605) on November 16, 1990 in order to protect the natural and historic resources in this unique and significant area of our nation. The Draft Environmental Impact Statement/Management Plan (DEIS/MP) and Proposed Rules for the Florida Keys National Marine Sanctuary has been available for public review since March 30, 1995. The purpose of these hearings is to receive comments from the public on the DEIS/MP and Proposed Rules. The comments expressed at these hearings, as well as written comments received on the DEIS/MP and Proposed Rules, will be considered in the preparation of the Final Environmental Impact Statement/Management Plan (FEIS/MP) and Rules. Written comments may be submitted at these public meetings or mailed to the Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, FL 33050. The comment period ends on December 31, 1995.

Date, Time and Place:

November 1, 7:00 pm: Radisson Center, Palm Room 1 & 2, 777 NW 72nd St., Miami, FL

November 3, 7:00 pm: Key Largo Sheraton, 97000 Overseas Highway, Key Largo, FL

November 6, 6:00 pm: Marathon High School Cafeteria, 350 Sombrero Beach Rd., Marathon, FL

November 7, 7:00 pm: Key West High School, 2100 Flagler Ave, Key West, FL

November 9, 7:00 pm: Florida Marine Research Institute Auditorium, 100 Eighth Ave SE, St. Petersburg, FL

November 14, 1:00 pm: National Oceanic and Atmospheric Administration Conference Room, 1st

Floor, 1305 East West Highway, Silver Spring, MD

Public Participation: The hearings will be open to public participation. Seats will be available on a first-come first-served basis. Individual speakers will be given a 3 minute time limit and organizations will be given a 5 minute time limit.

Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program

Dated: October 12, 1995.

W. Stanley Wilson,

Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 95-25816 Filed 10-17-95; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 18 and 75

RIN 1219-AA75

High-Voltage Longwall Equipment Standards for Underground Coal Mines

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Proposed rule; reopening of the record; request for public comment.

SUMMARY: The Mine Safety and Health Administration (MSHA) is reopening the rulemaking record on a proposed standard that allows the use of high-voltage longwall equipment in production areas of underground coal mines and sets out electrical safety standards for the use of this equipment. Because it has been some time since the record closed, MSHA is reopening the record, to provide all interested parties an opportunity to submit additional comments.

DATES: Written comments must be submitted on or before November 17, 1995.

ADDRESSES: Send written comments to MSHA, Office of Standards, Regulations and Variances, 4015 Wilson Boulevard, Room 631, Arlington, VA 22203. Commenters are encouraged to submit comments on a computer disk along with a hard copy.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, 703-235-1910.

SUPPLEMENTARY INFORMATION: On December 4, 1989 (54 FR 50062), MSHA published a proposed rule to revise the electrical safety standards for underground coal mines. That proposal addressed all of the Agency's electrical

standards for underground coal mines and would have allowed the use of high-voltage longwall equipment in production areas; however, it did not specifically focus on the safety issues related to the use of high-voltage longwall equipment. The Agency published a new proposed rule on August 27, 1992 (57 FR 39036) relating specifically to the use of high-voltage longwall equipment in underground coal mines. This proposed rule would eliminate the need for operators to submit petitions for modification when they wish to use high-voltage longwall equipment. The comment period closed on November 13, 1992. Because it has been some time since the record closed, MSHA is reopening the record for comments.

Dated: October 12, 1995.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 21 and 25

[CC Docket No. 92-297; PP-22; DA 95-2033]

Redesignating the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services and Suite 12 Group Petition for Pioneer's Preference

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule: Extension of Time for Filing Reply Comments.

SUMMARY: The Chief, International Bureau granted two motions to extend the time for filing reply comments in the proceeding, relating to Local Multipoint Distribution Service and Fixed Satellite Services in the 28 GHz frequency band, to October 10, 1995. The extension of time allows all parties to respond meaningfully to the many views and technical analyses presented in the dozens of comments file. This proceeding is of importance to all segments of the satellite and terrestrial communications industries that are seeking an allocation of spectrum in the 28 GHz band and resolution of inter-service sharing issues would serve the public interest.