

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient 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 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

SAAB Aircraft AB: Docket 97-NM-135-AD.

Applicability: Model SAAB SF340A series airplanes having serial numbers -121, and -125 through -159 inclusive; and Model SAAB 340B series airplanes having serial

numbers -160 through -360 inclusive; 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 request approval for an alternative method of compliance in accordance with paragraph (b) 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 leakage of the fire extinguishing agent, which could prevent proper distribution of the agent within the lavatory waste bin in the event of a fire, accomplish the following:

(a) Within 3 months after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD in accordance with Saab Service Bulletin SAAB 340-25-235, dated December 11, 1996.

(1) Perform an inspection to determine the serviceability of the fire extinguisher in the forward lavatory waste bin, in accordance with the service bulletin. If any discrepancy is found, prior to further flight, accomplish the repair or replacement of the fire extinguisher, as specified in the service bulletin.

(2) Install a placard adjacent to the fire extinguisher in the forward lavatory waste bin in accordance with the service bulletin.

(b) 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, International Branch, ANM-116, 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, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(c) 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.

Note 3: The subject of this AD is addressed in Swedish airworthiness directive SAD No. 1-106, dated December 12, 1996.

Issued in Renton, Washington, on October 23, 1997.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Chapter VII

[Docket No. 971014244-7244-01]

Request for Comments on the Definition of "Specially Designed"

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Notice of inquiry; request for comments.

SUMMARY: The Bureau of Export Administration (BXA) is reviewing the use of the term "specially designed" as it pertains to items controlled on the Commerce Control List (CCL) in the Export Administration Regulations (EAR). BXA is considering developing a definition or definitions of that term that will meet the export control objectives of the regulations while increasing the utility of the regulations to the public.

Although the Export Administration Act (EAA) expired on August 20, 1994, the President invoked the International Emergency Economic Powers Act and continued in effect the EAR, and to the extent permitted by law, the provisions of the EAA, as amended, in Executive Order 12924 of August 19, 1994, as extended by the President's notices of August 17, 1995 (60 FR 42767), August 14, 1996 (61 FR 42527) and August 13, 1997 (62 FR 43629).

DATES: Comments must be received by December 29, 1997.

ADDRESSES: Written comments (three copies) should be sent to Hillary Hess, Regulatory Policy Division (Room 2096), Office of Exporter Services, Bureau of Export Administration, Department of Commerce, PO Box 273, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Jerald Beiter, Office of the Assistant Secretary for Export Administration, Bureau of Export Administration, Department of Commerce, telephone: (202) 482-6105.

SUPPLEMENTARY INFORMATION: A number of U.S. exporters and others have requested that BXA provide a definition of the term "specially designed" in order to assist them in classifying certain items according to the Commerce Control List. In responding to this request, BXA intends to examine the use of the term in multilateral control regimes, use of the term by other countries in their export control regimes, the opinions of other government agencies, and the opinions of members of the public. Our goal is to

fulfill the export control purposes behind the regulations, to adhere to multilateral regime practices, and to make the regulations easier for the public to use. BXA is particularly interested in the comments of those who have experience classifying items on the Commerce Control List. Comments should be as specific as possible.

It may not be possible to write a single definition that is accurate for all purposes, but BXA will make its best effort to respond to the concerns raised by the public comments.

BXA will consider requests for confidential treatment. The information for which confidential treatment is requested should be submitted to BXA separately from any non-confidential information submitted. The top of each page should be marked with the term "Confidential Information." If the submission fails to meet the standards for confidential treatment, BXA will return it. A non-confidential summary must accompany such submissions of confidential information. The summary will be made available for public inspection.

Information accepted by BXA as confidential will be protected from public disclosure to the extent permitted by law. Communications between agencies of the United States Government or with foreign governments will not be made available for public inspection.

All other information relating to the notice will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, BXA requires written comments. Oral comments must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying.

The public record concerning these comments will be maintained in the Freedom of Information Records Inspection Facility, Room 4525, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW, Washington, DC. 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in part 4 of Title 15 of the Code of Federal Regulations.

Information about inspection and copying of records at this facility may be obtained from Margaret Cornejo, BXA Freedom of Information Officer, at the above address or by calling (202) 482-2593.

Dated: October 20, 1997.

William V. Skidmore,

Acting Assistant Secretary for Export Administration.

[FR Doc. 97-28649 Filed 10-28-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 773, 778 and 843

RIN 1029-AB94

Ownership and Control—Redesign

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

ACTION: Advanced notice of proposed rulemaking; notice of public meetings.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) will hold, upon request, meetings to solicit comments, concerns, and new ideas regarding the drafting of new ownership and control, permit information and improvidently issued permits regulations.

OSM also invites written comments regarding the drafting of these regulations. A concept/issue paper has been prepared to assist those interested in commenting or preparing for the meetings. The paper is a compilation of concepts and issues currently under consideration; however, OSM is not limited to those listed and encourages new concepts or ideas for consideration.

DATES: *Written comments* OSM will accept written comments until 5:00 p.m., Eastern Time on December 15, 1997.

Public meetings: OSM will meet with interested persons upon request to solicit comments on the drafting of the new regulations until December 15, 1997. In order to make proper arrangements for meetings, request for meetings should be made prior to December 1, 1997.

ADDRESSES: *Written comments and requests for concept/issue paper:* Hand deliver or mail to Earl Bandy, Office of Surface Mining Reclamation and Enforcement, AVS Office, 2679 Regency Road, Lexington, Kentucky 40503; telephone (800) 643-9748; E-mail: ebandy@osmre.gov.

Telefax: Copies of the concept/issue paper may be obtained from FAX ON DEMAND by calling 202-219-1703 and following the instructions on the recorded announcement.

Public meetings: Upon request OSM staff will be available to meet with

interested persons, individually or in groups, during the comment period in the following locations: Lexington, Kentucky; Washington, D.C.; Knoxville, Tennessee; Pittsburgh, Pennsylvania; Alton, Illinois; and Denver, Colorado. Any individual who requires special accommodation to attend a meeting should also contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT:

Earl Bandy, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, Kentucky 40503; Telephone (606) 233-2796 or (800) 643-9748. E-mail: ebandy@osmre.gov.

SUPPLEMENTARY INFORMATION: On April 21, 1997 (62 FR 19450), OSM issued interim final regulations regarding 30 CFR Parts 773, 778 and 843—Ownership and Control; Permit Application Process; Improvidently Issued Permits. This action was taken in response to a decision by the U.S. Court of Appeals for the District of Columbia Circuit invalidating the previous rules as being inconsistent with Section 510(c) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). In issuing these interim final regulations, OSM invoked the "good cause" exemption of the Administrative Procedure Act (APA) at 5 U.S.C. 553(b)(3)(B). This provision allows an agency to issue a rule without prior notice or opportunity for public comment "when the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest." OSM invoked the APA "good cause" exemption for the reasons described in the preamble to the interim final regulations (62 FR 19451-19452). In doing so, OSM stated that the rules were intended to be interim and that it would seek public comment on any resulting proposed regulatory changes.

In order to fulfill this commitment, OSM is seeking to involve the public in advance of developing a proposed rule. OSM will follow standard procedures by seeking comments and holding public hearings on the proposed rules when they are published in the **Federal Register**.

Dated: October 21, 1997.

Mary Josie Blanchard,

Assistant Director, Program Support.

[FR Doc. 97-28486 Filed 10-28-97; 8:45 am]

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