involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required).

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new airworthiness directive:

Gates Learjet Corporation: Applies to the following Models and serial numbers:

Model	Serial number
24D, 24D-A, 24E, 24F, 24F-A	24-218; 24-230 thru 24-357.
25, 25B, 25C, 25D, 25F	25-059; 25-061; 25-066 thru 25-373.
28	28-001 thru 28-005.
29	29-001 thru 29-004.
35, 35A	35-001 thru 35-570; 35-589 thru 35-600.
36, 36A	36-001 thru 36-053; 36-055.

To prevent fire and explosion within the battery case, accomplish the following within the next 25 flight hours after the effective date of this AD, and thereafter at intervals not to exceed 200 flight hours:

A. Inspect the interior of the battery cases for evidence of fuel contamination. Fuel contamination will be evidenced by odor and oily residue. If evidence of contamination is found, before further flight, inspect the jiffy drains forward of the battery compartment to determine the source of contamination, replace any jiffy drain found to be defective, and remove all contamination from battery cases and vent system, in accordance with Gates Learjet Corporation Maintenance Instructions, as applicable.

B. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order comply with the inspection requirements of this AD.

C. Alternate means of compliance which provide an acceptable level of safety may be used when approved by the Manager, Wichita Aircraft Certification Office, FAA, Central Region.

All persons affected by this directive who have not already received the applicable service bulletins from the manufacturer, may obtain copies upon request to Learjet Corporation, P.O. Box 7707, Wichita, Kansas 67277. These documents may be examined at FAA, Central Region, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas, or at FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington.

This Amendment becomes effective November 12, 1985.

Issued in Seattle, Washington, on October 17, 1985.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 85-25598 Filed 10-25-85; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 85-NM-59-AD; Amdt. 39-5162]

Airworthiness Directives; McDonnell Douglas Model DC-4, C54-DC, and C54 (Military) Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which requires inspection, rework of the control horn, and repair, if necessary, of the elevator trim tab spars on McDonnell Douglas Model DC-4, C54-DC, and C54 (Military) series airplanes. This AD is prompted by reports of cracks in the elevator trim tab spar which, if uncorrected, could result in loss of elevator trim tab control in flight.

DATE: Effective December 5, 1985. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESS: The applicable service information may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publication and Training, C1-750 (54-60). This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Western Aircraft Certification Office, 15000 Aviation Boulevard, Hawthorne, California.

FOR FURTHER INFORMATION CONTACT: Mr. Lyle C. Davis, Aerospace Engineer, Airframe Section, ANM-172W, FAA, Northwest Mountain Region, Western Aircraft Certification Office; telephone (213) 297-1032. Mailing address: FAA, Northwest Mountain Region, Western Aircraft Certification Office, ANM-172W, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009-2007.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include a new airworthiness directive (AD) to require inspection, rework of the control horn, and repair, if necessary, of the elevator trim tab spars on McDonnell Douglas Model DC-4, C54-DC, and C54 (Military) series airplanes was published in the Federal Register on July 5, 1985, (50 FR 27602). The comment period for the proposal closed on August 26, 1985.

Interested persons have been afforded the opportunity to participate in the making of this amendment. No comments were received.

After careful review of the available data, the FAA has determined that air safety and the public interest required the adoption of the rule as proposed.

It is estimated that 110 airplanes of U.S. registry will be affected by this AD, that it would take approximately 15 manhours per airplane to accomplish the required actions, and that the average labor cost would be $40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $66,000.

For these reasons, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic impact on a substantial number of small entities because few, if any, Model DC-4 series airplanes are operated by small entities. A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulation as follows:

PART 39—[AMENDED]

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423, 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); 14 CFR 11.89.

2. By adding the following new airworthiness directive:

McDonnell Douglas (Douglas Aircraft Company): Applies to all McDonnell Douglas Model DC-4 and C54-DC series, and all C54 military models eligible or to be made eligible for civil use, certificated in any category. Compliance required within 100 flight hours time in service after the effective date of this AD, unless previously accomplished.

To prevent loss of the elevator trim tab control in flight, accomplish the following:

A. Perform a dye penetrant inspection for cracks in the left-hand and right-hand elevator trim tab spars at station 81.5 (approximately), in accordance with the instructions of paragraph D. of this AD. Note that AD 48-06-05 requires, in part, the replacement of an originally designed aluminum control horn P/N 2114427, with a steel control horn, P/N 2357165.

B. If no cracks are found in the trim tab spar, rework and reinstall the steel control horn (previously identified as P/N 2357165) in accordance with the instructions of paragraph D. of this AD.

C. If cracks are found in the trim tab spar, accomplish prior to further flight: (1) the rework to the control horn in accordance with the instructions of paragraph D. of this AD, and (2) a repair of the cracked spar. McDonnell Douglas Service Rework Drawing J060262 Revision B, dated January 30, 1985, or equivalent approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region, describes an acceptable means of repair.

D. Instructions for inspection of spar and rework of control horn:

1. Remove elevator trim tab in accordance with DC-4 Maintenance Manual (M/M) Flight Control Group, paragraph 3.15.1.

2. Remove elevator trim tab control horn, P/N 2357165, from trim tab spar station 81.5 (approximately).

3. Strip top coat and primer from the area of the spar at station 81.5 (approximately) in accordance with normal shop practice.

4. Using dye penetrant procedures, inspect for cracks in the tab spar radius in accordance with normal shop practice.

5. Rework the steel control horn base by chamfering the upper and lower edges to 0.06 ± 0.03 inches $\times$ $45^{\circ} \pm 5^{\circ}$ and leave no sharp edges.

6. Protect the worked areas with two applications of zinc chromate primer or equivalent.

7. Reinstall flight control system components in accordance with DC-4 M/M Volume VI, paragraph 3.15, Elevator Trim Tab.

8. Required fastener hardware, their torque values, and torque slippage indication instructions are given in the DC-4 M/M, DC-4 Service Bulletin #83 and AD 51-09-02.

Note 1.—If a DC-4 M/M is not available, the equivalent section of the C-54 M/M may be used.

Note 2.—Repetitive inspections, the attachment fasteners with their torque values, and torque slippage indication requirements of Airworthiness Directives AD 48-06-05 and AD 51-09-02 remain applicable and are not intended to be changed by the requirements of this AD.

E. Prior to issuance of a Certificate of Airworthiness for military aircraft being converted for civil certification, the airplane must be inspected, parts reworked, and if cracks are found, a repair accomplished, in accordance with the requirements of this AD.

F. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections required by this AD.

G. Alternative inspections, modifications, or other actions which provide an acceptable level of safety may be used when approved by the Manager, Western Aircraft Certification Office, FAA, Northwest Mountain Region.

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publication and Training, C1-750 (54-60). These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at 15000 Aviation Boulevard, Hawthorne, California.

This Amendment becomes effective December 5, 1985.

Issued in Seattle, Washington, on October 21, 1985.

Wayne J. Barlow,

Deputy Director, Northwest Mountain Region.

[FR Doc. 85-25599 Filed 10-25-85; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

International Trade Administration

DEPARTMENT OF THE INTERIOR

Office of Territorial and International Affairs

15 CFR Part 303

[Docket No. 50691-5149]

Watch Duty-Exemption Program

AGENCY: Import Administration, International Trade Administration, Commerce; and Office of Territorial and International Affairs, Interior.

ACTION: Final rule.

SUMMARY: This document sets forth revisions to 15 CFR Part 303, which governs the allocation of duty-free benefits among watch producers in the insular possessions (the Virgin Islands, Guam, and American Samoa) and the Northern Mariana Islands pursuant to Pub. L. 97-446. The revisions are necessary in order to provide a territorial share of the duty exemption for the Northern Mariana Islands ("NMI") prescribed by Pub. L. 94-241; to afford producers the increased flexibility they need in producing and marketing insular watches and watch movements; to decrease the paperwork burden on respondents; and to clarify the meaning of the rule.

EFFECTIVE DATE: November 27, 1985.

FOR FURTHER INFORMATION CONTACT: Faye Robinson, (202) 377-1660.

SUPPLEMENTARY INFORMATION: We published these revisions in proposed form on July 18, 1985 (50 FR 29232) and invited comments. Our discussion of the only comment received follows.

The commenter, an insular watch producer in Guam, strongly urged us to put "necessary safeguards into the new rule" in order to forestall inequitable treatment of the producers in the several territories due to the fact that the Northern Mariana Islands (NMI) are not subject to the U.S. immigration and minimum wage laws.

While we agree that producers should, to the maximum feasible extent, be on a "level playing field" in the various territories, and that the commenter has raised a legitimate issue, we do not believe any substantive change from the proposed provisions is necessary. The applicable tariff schedule provision makes it clear that creditable wages are only those paid to "permanent residents." (Schedule 7, Part 2, Subpart E, Headnote 6(h).) Accordingly, any advantage an NMI producer might expect to gain through employment of non-resident aliens would be offset by the disallowance of such wage payments for purposes both of allocating the duty-exemption and of calculating the production incentive certificate. Furthermore, any discrepancies among local or national minimum wage requirements are reduced to relative insignificance by the production incentive certificate system.

In response to this comment, however, we are making an editorial change in the definition of "creditable wages" (§ 303.2(a)(13)) to clarify that these consist only of wages paid to permanent residents.

In accordance with Executive Order 12291 dated February 17, 1981, the Departments of Commerce and the Interior have determined that this rule does not constitute a "major rule" as defined by section 1(b) of the Order. It is not likely to result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment,

productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Therefore, preparation of a Regulatory Impact Analysis is not required.

This regulation was submitted to the Office of Management and Budget for review, as required by Executive Order 12291.

In accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., the General Counsel of the Department of Commerce has certified that this action will not have a significant economic impact on a substantial number of small entities. Fewer than ten entities are directly affected by this action. The commercial benefits of the program governed by these regulations, for entities both directly and indirectly affected are less than $10 million per year.

This rule contains information collection requirements under the Paperwork Reduction Act of 1980, 44 U.S.C. 3.501 et seq. These collections of information have been approved by the Office of Management and Budget under control numbers 0625–0040 and 0625–0134.

List of Subjects in 15 CFR Part 303

Imports, Customs duties and inspection, Watches and jewelry, Marketing quotas, Administrative practice and procedure, Reporting and recordkeeping requirements, American Samoa, Guam, Virgin Islands, Northern Mariana Islands.

PART 303—[AMENDED]

For reasons set forth above, the following amendments of Part 303 are made:

1a. The authority citation for Part 303 is revised to read as follows:

Authority: Pub. L. 97–446, 96 Stat. 2329 (19 U.S.C. 1202); Pub. L. 94–241, 90 Stat. 263 (48 U.S.C.A. 1681, note).

1b. In § 303.1 paragraph (a) and (b) are revised to read as follows:

§ 301.1 Purpose.

(a) This part implements the responsibilities of the Secretaries of Commerce and the Interior ("the Secretaries") under Pub. L. 97–446, enacted on 12 January 1983, which substantially amended Pub. L. 89–805, enacted 10 November 1966, amended by Pub. L. 94–88, enacted 8 August 1975, and amended by Pub. L. 94–241, enacted 24 March 1976. The law provides for exemption from duty of territorial watches and watch movements without regard to the value of the foreign materials they contain, if they conform with the provisions of Headnote 6 of Schedule 7, Part 2, Subpart E of the Tariff Schedules of the United States ("Headnote 6"). Headnote 6 denies this benefit to articles containing any material which is the product of any country with respect to which Column 2 rates of duty apply; authorizes the Secretaries to establish the total quantity of such articles, provided that the quantity so established does not exceed 10,000,000 units or one-ninth of apparent domestic consumption, whichever is greater, and provided also that the quantity is not decreased by more than ten percent nor increased by more than twenty percent (or to more than 7,000,000 units, whichever is greater) of the quantity established in the previous year.

(b) The law directs the International Trade Commission to determine apparent domestic consumption for the preceding calendar year in the first year U.S. insular imports of watches and watch movements exceed 9,000,000 units. Headnote 6 authorizes the Secretaries to establish territorial shares of the overall duty-exemption within specified limits; and provides for the annual allocation of the duty-exemption among insular watch producers equitably and on the basis of allocation criteria, including minimum assembly requirements, that will reasonably maximize the net amount of direct economic benefits to the insular possessions.

* * * * *

2. Section 303.2 is amended by revising paragraph (a)(8).

§ 303.2 Definitions and forms.

(a) * * *

(8) *Territories, territorial, and insular possessions* refer to the insular possessions of the United States (i.e., the U.S. Virgin Islands, Guam, and American Samoa) and the Northern Mariana Islands.

* * * * *

§ 303.2 [Amended]

3. Section 303.2(a)(13) is amended by changing the word "resident" to "permanent resident."

§§ 303.2, 303.3, 303.5, 303.7, 303.9, 303.10, and 303.14, [Amended]

4. The terms "insular possession" and "insular possessions" are changed to read "territory" and "territories," respectively, each time they appear in §§ 303.2(a)(14); 303.3 (b)(3) and (c)(1); 303.5(b)(7); 303.7(b)(1); 303.9(b)(4); 303.10(a)(2); and 303.14(b)(2).

§ 303.6 [Amended]

5. Section 303.6 is amended by changing the word "initial" to "interim" each time it appears in paragraphs (c) and (d).

§ 303.7 [Amended]

6. Section 303.7 is amended by taking out the words "as prescribed in the annual rules" in the first sentence of paragraph (b)(6).

7. Section 303.12 is amended by revising paragraph (a)(1).

§ 303.12 Issuance and use of production incentive certificates.

(a) *Issuance of certificates.* (1) Certificates of Entitlement, Form ITA-360, shall be issued before March 1 of the current year.

* * * * *

8. Section 303.14 is amended by revising paragraph (b)(3), (d)(1), and (e).

§ 303.14 Allocation factors and miscellaneous provisions.

* * * * *

(b) * * *

(3) The maximum value of components referred to in Section 303.10(a)(1) shall be $30 for watch movements and $80 for watches.

* * * * *

(d) *New Entrant Invitations.* (1) Applications from new firms are invited for the territorial shares of American Samoa and the Northern Mariana Islands.

* * * * *

(e) *Territorial shares.* The shares of the total duty exemption are 3,500,000 for the Virgin Islands, 1,000,000 for Guam, 500,000 for American Samoa, and 500,000 for the Northern Mariana Islands.

Dated: October 23, 1985.

John L. Evans,

Deputy to the Deputy Assistant Secretary for Import Administration.

Kittie Baier,

Acting Assistant Secretary for Territorial and International Affairs.

[FR Doc. 85–25658 Filed 10–25–85; 8:45 am]

BILLING CODE 3510-DS-M; 4310-10-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 924

Permanent State Regulatory Program of Mississippi

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

ACTION: Final rule.

SUMMARY: OSM is announcing the approval of amendments to 30 CFR Part 924 to require that Mississippi, prior to allowing coal exploration or surface mining operations, amend its permanent State regulatory program to be consistent with the Federal laws and regulations in existence at that time.

OSM has initiated a review of all State permanent regulatory programs, approved by the Secretary of the Interior under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), in light of extensive revisions to the Federal regulations. Such a review results from the requirements of the Federal regulations at 30 CFR 732.17(d), which provide that OSM notify the State regulatory authority of all changes in SMCRA and the Federal regulations thereunder, which will require an amendment to the approved State program to conform the State's program to the Federal standards. Consistency of the State and Federal standards is required by SMCRA. On August 22, 1985, OSM published a notice in the **Federal Register**, announcing the proposed action and inviting public comment on the adequacy of the proposed action (50 FR 33982–33983). The public comment period ended September 23, 1985. After providing opportunity for public comment and thorough consideration of action to postpone a review of Mississippi program provisions in light of revisions to the Federal regulations, the Director is taking final action as proposed.

Since its permanent regulatory program was approved by the Secretary, Mississippi has not had any surface coal mining activities in the State, nor does the State anticipate any coal mining to occur before the year 2000 A.D.

Mississippi will be required in the event mining is anticipated or if mining does develop, be required, to amend its rules and regulations of its permanent State regulatory program to be consistent with the Federal laws and regulations in existence at such time.

EFFECTIVE DATE: November 27, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. John T. Davis, Field Office Director, Birmingham Field Office, Office of Surface Mining, 228 West Valley Avenue, 3rd Floor, Room 302, Homewood, Alabama 35209.

SUPPLEMENTARY INFORMATION:

I. Background of the Mississippi State Program and Proposed Action

On August 2, 1979, the State of Mississippi submitted to the Department of the Interior its proposed permanent regulatory program under SMCRA. On May 17, 1980, Mississippi resubmitted its program. On September 4, 1980, following a review of the program resubmission, the Secretary of the Interior approved the Mississippi program (45 FR 58520–58526). Background information on the State program and the Secretary's findings can be found in the September 4, 1980 **Federal Register** notice.

In the latter part of 1983, OSM completed the last in a series of final rules, thus completing its regulatory reform effort for the Federal regulations at 30 CFR Chapter VII. On November 10, 1983, the Director, OSM, provided all States, with approved permanent regulatory programs, with a preliminary list of revised Federal rules which may necessitate changes in the approved State programs. Thus, OSM initiated the procedures required by the Federal regulations at 30 CFR 732.17(d), which provide that OSM notify the State regulatory authority of all changes in SMCRA and the Federal regulations which will require an amendment to the State's program to conform State program provisions to the Federal standards. Consistency of the State and Federal standards is required by section 503(a) of SMCRA and the Federal regulations at 30 CFR 732.15(a). To date eight States have been notified formally by the Director under 30 CFR 732.17 that specific provisions of the respective State programs are now inconsistent with the Federal regulations and must be revised by the States.

On July 23, 1985, Mississippi responded to an inquiry from OSM concerning the status of coal mining in the State. Mississippi said that there is no coal mining in the State. Further, no coal (lignite) mining is anticipated in the near future, probably not before the year 2000 A.D. Also, the letter stated that in the event mining is anticipated or if mining does develop, the rules and regulations of the Mississippi program will be amended to be consistent with the Federal rules and regulations in existence at such time.

Under section 503(a) of SMCRA and the Federal regulations at 30 CFR 736.11(a) it would not be necessary for Mississippi to have a State program or for the Director to promulgate a Federal program in the State inasmuch as he does not reasonably expect coal exploration or surface coal mining operations to exist on non-Federal and non-Indian lands within the State at any time in the near future.

II. Director's Findings

The Director is taking final action to postpone the regulatory reform review of the Mississippi program and the resulting requirement that the State revise to its program until such time as mining is anticipated or mining does develop in the State. The Director finds that the action is consistent with section 503(a) of SMCRA in conjunction with the Federal regulations at 30 CFR 736.11(a).

III. Public Comment

No comments were received during the comment period in response to the Director's proposed action.

IV. Director's Decision

The Director, based on the above findings, is taking final action to postpone the regulatory reform review of the Mississippi program. The Federal rules at 30 CFR Part 924 are being revised to codify the Director's decision concerning the Mississippi program to implement the action. Specifically, a new section at § 924.16 will be added to codify the requirement that Mississippi, in the event coal exploration or surface mining activities should develop, will amend its program prior to any mining to be consistent with the Federal regulations in existence at the time.

V. Procedural Requirements

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *Paperwork Reduction Act:* This rule does not contain information collection requirements which approval by Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 924

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: October 21, 1985.

Jed D. Christensen,

Acting Director, Office of Surface Mining.

PART 924—MISSISSIPPI

30 CFR Part 924 is amended as follows:

1. The authority citation for Part 924 is revised to read as follows:

Authority: Pub. L. 95-87 (30 U.S.C. 1201 *et seq.*).

2. 30 CFR Part 924 is amended by adding a new § 924.16 as follows:

§ 924.16 Required program amendments.

Pursuant to 30 CFR 732.17, Mississippi, prior to allowing coal exploration or surface mining operations in the event such activities should develop, shall submit and have approved by the Office of Surface Mining, amendments to its permanent regulatory program to be in accordance with SMCRA and consistent with the Federal regulations at 30 CFR Chapter VII in existence at the time.

[FR Doc. 85-25655 Filed 10-25-85; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 251

Land Uses; Reservation of Rights

AGENCY: Forest Service, USDA.

ACTION: Notice of completion of review of existing rules.

SUMMARY: In compliance with Executive Order 12291, the Forest Service has reviewed 36 CFR 251.14–251.19. These rules set forth conditions to be included in deeds of conveyance to the United States where grantors wish to reserve rights to use timber or minerals, reserve rights-of-way, or otherwise use and occupy the lands conveyed. The rules also describe how the various reservations may be exercised while providing protection for National Forest interests. Notice of intent to review the rules was published in the Federal Register on April 29, 1985, at 50 FR 17107 as part of the Department of Agriculture's Semiannual Regulatory Agenda. Review of these existing rules were conducted internally by contacting Regional and Forest Lands Staffs. A review of agency records revealed that no public comment or complaint had been received concerning the rules and regulations.

Based upon this internal administrative review, the Forest Service has determined the rules and regulations should be retained in their present form and that they do not impose economic or regulatory burdens on the public.

FOR FURTHER INFORMATION CONTACT: George E. Anderson, Forest Service, USDA, P.O. Box 2417, Washington, D.C. 20013, (703) 235-2496.

Dated: October 21, 1985.

F. Dale Robertson,

Associate Chief.

[FR Doc. 85-25623 Filed 10-25-85; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 405 and 412

[BERC-315-CN]

Medicare Program; Changes to the Inpatient Hospital Prospective Payment System and Fiscal Year 1986 Rates

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction of final rule.

SUMMARY: This document corrects technical errors that appeared in the final rule, published September 3, 1985, that revised the inpatient hospital prospective payment system and set forth the fiscal year 1986 rates for that system.

FOR FURTHER INFORMATION CONTACT: Linda Magno (301) 594-9343.

SUPPLEMENTARY INFORMATION: In FR Doc. 85-20881, beginning on page 35646 in the issue of September 3, 1985, make the following corrections:

1. On page 35677, in the first and second columns at the bottom of the page, the two examples are corrected to read as follows:

Example 1

Hospital A had a 1981 case-mix index value of 1.08 and a discharge level of 7,000 in 1981. Because Hospital A also met one of the optional criteria, it qualified for rural referral center status beginning in January 1985 under the criteria published in the August 31, 1984 final rule. During its first year as a referral center, the hospital's case-mix index value rose to 1.1300 for FY 1985 (October 1, 1984 through September 30, 1985) and its number of discharges for its FY 1985 cost reporting period (January 1 through December 31, 1985) declined to 6500. Since both of these criteria are higher than the minimum set forth in this final rule, Hospital A meets the retention criteria for case mix and discharges for its first year of referral center status (assuming it continues to meet one of the optional criteria). The hospital's continued status as a referral center depends essentially on whether it meets the criteria for at least one more year in the following two years.

Example 2

Hospital B had a 1981 case-mix index value of 1.08 and a discharge level of 5,900 in 1981. Since it did not meet the discharge criterion, it could not qualify for referral center status beginning in January 1985. During its FY 1985 cost reporting period (January 1 through December 31, 1985), Hospital B's number of discharges rose to 6,050 and, during FY 1985 (October 1, 1984 through September 30, 1985), its case-mix index value rose to 1.1300. Since it will qualify under the criteria set forth in this final rule, Hospital B will be given referral center status beginning January 1, 1986 if it meets one of the optional criteria. It will keep referral center status at least three years. Hospital B's status as a referral center after that will depend essentially on whether or not it meets the criteria applicable to two of those three years.

2. On page 35681, in the third column, the second line of the fourth paragraph is corrected by removing the word "not".

3. On page 35698, in the table that begins at the top of the first column, the section of the table labeled "Policy target adjustment factor" is corrected to read as follows:

		Percent
Policy target adjustment factor		−1.5
Productivity	−1.0	—
Cost effective technologies	+1.5	—
Cost ineffective practice patterns	−2.0	—

4. On page 35706, in the first column, in the thirteenth line from the top, "x3.0" is corrected to read "−3.0".

5. On page 35706, in the second column, in the ninth line of the fourth full paragraph from the bottom, "cost-effective practice patterns" is corrected