

Authority: 49 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing amendment 39-5908 (53 FR 15363, April 29, 1988), and by adding a new airworthiness directive (AD), to read as follows:

De Havilland, Inc.: Docket 95-NM-266-AD. Revises AD 88-09-05, Amendment 39-5908.

**Applicability:** Model DHC-8 series airplanes, serial numbers 3 through 79, inclusive; on which Modification 8/0757 has not been installed; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been 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 inadvertent opening of the airstair door and consequent depressurization of the airplane, accomplish the following:

(a) Within 60 days after June 10, 1988 (the effective date of AD 88-09-05, amendment 39-5908), replace the labels marking the location and means of opening the lavatory, in accordance with the Accomplishment Instructions of de Havilland Service Bulletin 8-11-14, Revision 'A', dated July 31, 1987.

Note 2: Replacement accomplished in accordance with de Havilland Service Bulletin 8-11-14, Revision 'B', dated July 1, 1988, or Revision 'C', dated September 29, 1995, is considered acceptable for compliance with this paragraph.

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(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.

Issued in Renton, Washington, on June 27, 1996.

S. R. Miller,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 96-16952 Filed 7-2-96; 8:45 am]

BILLING CODE 4910-13-U

### **14 CFR Part 71**

#### **[Airspace Docket No. 96-AGL-11]**

#### **Establishment of Class E Airspace; Miller, SD**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class E airspace at Miller Municipal Airport, Miller, SD, to accommodate a Nondirectional Radio Beacon (NDB) to serve Runway 15. Controlled airspace extending upward from 700 to 1200 feet above ground level (AGL) is needed to contain aircraft executing the approach. The intended effect of this proposal is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

**DATES:** Comments must be received on or before August 5, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 96-AGL-11, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, Operations Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

**FOR FURTHER INFORMATION CONTACT:** John A. Clayborn, Air Traffic Division, Operations Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions

presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 96-AGL-11." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### **Availability of NPRM's**

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, S.W., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

##### **The Proposal**

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Miller Municipal Airport, Miller, SD to accommodate a Nondirectional Radio Beacon to serve Runway 15. Controlled airspace extending upward from 700 to 1200 feet AGL is needed to contain aircraft executing the approach. The intended affect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other

aircraft operating in visual weather conditions. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current.

Therefore this, proposed regulation—(1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

#### **PART 71—[AMENDED]**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 The Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

AGL SD E5 Miller, SD [New]

Miller Municipal Airport, SD  
(Lat. 44°31'31"N, long. 98°57'29"W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Miller Municipal Airport and that airspace extending upward from 1,200 feet above the surface bounded on the west and northwest by V-263, on the south by V-120, and on the east by V-15 excluding the Aberdeen, SD; the Pierre, SD; the Mitchell, SD; and the Huron, SD, 1,200 foot Class E airspace areas and all federal airways.

\* \* \* \* \*

Issued in Des Plaines, Illinois on June 17, 1996.

Maureen Woods,

*Manager, Air Traffic Division.*

[FR Doc. 96–17041 Filed 7–2–96; 8:45 am]

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## **DEPARTMENT OF JUSTICE**

### **Office of Juvenile Justice and Delinquency Prevention**

#### **28 CFR Part 31**

[OJP No. 1091]

RIN 1121–AA39

#### **OJJDP Formula Grants Regulation**

**AGENCY:** Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

**ACTION:** Proposed rule and request for public comment.

**SUMMARY:** The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is publishing for public comment proposed amendments to its Formula Grants Regulation, 28 CFR Part 31. The Formula Grants Regulation implements Part B of Title II of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended by the Juvenile Justice and Delinquency Prevention Amendments of 1992. The proposed amendments to the existing Regulation provide further clarification and guidance to States in the formulation, submission and implementation of State Formula Grant plans and determinations of State compliance with plan requirements. They are intended to provide additional flexibility and greater clarity to participating States with respect to key provisions related to the core requirements of the JJDP Act.

**DATES:** Interested persons are invited to submit written comments which must be received on or before August 19, 1996.

**ADDRESSES:** Address all comments to Mr. Shay Bilchik, Administrator, Office of Juvenile Justice and Delinquency

Prevention, 633 Indiana Avenue NW., Room 742, Washington, DC 20531.

**FOR FURTHER INFORMATION CONTACT:** Ms. Roberta Dorn, Director, State Relations and Assistance Division, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue NW., Room 543, Washington, DC 20531; (202) 307–5924.

**SUPPLEMENTARY INFORMATION:** The Office of Juvenile Justice and Delinquency Prevention is proposing revisions to the existing Regulation, codified at 28 CFR Part 31, and inviting public comment on the proposed changes. The proposed changes in the regulatory text accomplish the following:

(1) Revise § 31.303(d)(1)(i) to clarify the level of contact that is prohibited between juveniles in a secure custody status within an institution and incarcerated adults;

(2) Revise § 31.303(d)(1)(i) by providing an exception to the core requirement of separation with respect to brief, and inadvertent contact between juveniles in a secure custody status within an institution and incarcerated adults in nonresidential areas;

(3) Revise § 31.303(d)(1)(v) to permit the placement of an adjudicated delinquent in an institution with adults once the adjudicated delinquent reaches the State's age of full criminal responsibility, when authorized by State law;

(4) Revise § 31.303(e)(2) to permit the placement of an accused or adjudicated delinquent juvenile in an adult jail or lockup for up to six hours immediately before or after a court appearance for processing and transportation purposes;

(5) Revise § 31.303(e)(3) by eliminating the requirement for OJJDP concurrence in State approved collocated juvenile facilities, the requirement that a needs-based analysis precede a jurisdiction's request for State approval, and to permit time-phased use of nonresidential areas of collocated facilities;

(6) Revise § 31.303(f)(2) to expressly provide that accused status offenders can be placed in a secure juvenile detention facility for up to twenty-four hours, exclusive of weekends and holidays, prior to an initial court appearance and up to twenty-four hours, exclusive of weekends and holidays, following an initial court appearance;

(7) Revise § 31.303(f)(3)(vi) to eliminate the regulatory recommendation that a multi disciplinary team may be used to satisfy the “public agency” requirement, under the valid court order exception even if some members represent court or law enforcement agencies;

(8) Revise § 31.303(f)(4)(vi) to eliminate the requirement that States document and describe in their annual monitoring report to OJJDP the specific circumstances surrounding each use of distance/ground transportation and weather exceptions to the jail and lockup removal requirement;

(9) Revise § 31.303(f)(5)(i)(C) to define and clarify the scope of the exception to the deinstitutionalization of status offenders requirement for offenses under “§ 922(x) of Title 18 or other similar State law” (relating to possession of handguns by juveniles);