

14 CFR Part 121

[Docket No. 26142; Amdt. No. 121-230]

RIN 2120-AB45

Miscellaneous Operational Amendments; Flight and Navigational Equipment; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correcting amendments.

SUMMARY: On September 15, 1992, the Federal Aviation Administration (FAA) issued a final rule amending the Federal Aviation Regulations governing, among other things, flight and navigational equipment (57 FR 42662; September 15, 1992). This action corrects an error concerning the intent of the effective date for large turbojet powered airplanes and large turboprop powered airplanes.

EFFECTIVE DATE: April 2, 1993.

FOR FURTHER INFORMATION CONTACT: Larry Youngblut, Regulations Branch (AFS-240), Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; Telephone (202) 267-8096.

SUPPLEMENTARY INFORMATION:

Background

On September 8, 1992, the FAA issued a final rule amending the Federal Aviation Regulations governing, among other things, flight and navigational equipment (57 FR 42662; September 15, 1992). As amended, § 121.305 reads, in pertinent part, "After October 17, 1994 on large airplanes other than reciprocating-engine-powered airplanes, in addition to two gyroscopic bank-and-pitch indicators (artificial horizons) for use at the pilot stations, a third such instrument * * *." The FAA did not propose and at no time intended to change the effective date of all of § 121.305(j). The agency's proposal and intent was to extend the applicability of § 121.305(j) to all large turboprop airplanes, with a 2-year compliance date for such large turboprop airplanes.

This action corrects the error by amending the phrase "After October 17, 1994 on large airplanes other than reciprocating-engine-powered airplanes" to read, "On large turbojet powered airplanes, and after October 17, 1994, on large turboprop powered airplanes."

List of Subjects in 14 CFR Part 121

Air carriers, Air transportation, Aviation safety, Common carriers, Safety, Transportation.

Accordingly, 14 CFR part 121 is corrected by making the following correcting amendments:

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS, AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

1. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1356, 1357, 1401, 1421-1430, 1472, 1485, and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983).

§ 121.305 [Corrected]

2. Section 121.305 is amended by revising the introductory text of paragraph (j) to read as follows:

§ 121.305 Flight and navigational equipment.

* * * * *

(j) On large turbojet powered airplanes, and after October 17, 1994, on large turboprop powered airplanes, in addition to two gyroscopic bank-and-pitch indicators (artificial horizons) for use at the pilot stations, a third such instrument that—

* * * * *

Issued in Washington, DC, on February 25, 1993.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 93-4874 Filed 3-2-93; 8:45 am]

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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

29 CFR Part 2700

Procedural Rules

AGENCY: Federal Mine Safety and Health Review Commission.

ACTION: Final rule.

SUMMARY: This rule makes final the first major revision of the present procedural rules of the Federal Mine Safety and Health Review Commission (Commission). The ultimate goal of the Commission's procedural rules remains the just, speedy and inexpensive determination of all proceedings before the Commission. These final rules are intended to carry forward the present rules' tradition of simple, easily understood, and efficient procedure in an administrative setting.

EFFECTIVE DATE: These revised rules will take effect on May 3, 1993.

The final rules will apply to cases initiated after the rules take effect. The final rules also will apply to further

proceedings in cases then pending, except to the extent that such application would be infeasible or unfair, in which event the present procedural rules would apply. The Commission will receive any further comment on these rules during the 60-day period before they take effect. The Commission welcomes comment on its procedural rules, which are always open to comment and suggestions.

ADDRESSES: Comments and questions may be sent to the Office of General Counsel, Federal Mine Safety and Health Review Commission, 1730 K Street, N.W., Ste. 630, Washington, D.C. 20006-3867.

FOR TELEPHONE INQUIRIES CALL: L. Joseph Ferrara (General Counsel), 202-653-5610 (202-708-9300 for TDD Relay). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

Discussion of Procedural Rules

A. Background

The Commission is an independent adjudicative agency that provides administrative trial and appellate review of cases arising under the Federal Mine Safety and Health Act of 1977, 30 U.S.C. 801 et seq. (1988)(Mine Act). The Commission is not a part of, and is independent from, the Department of Labor and that Department's Mine Safety and Health Administration (MSHA). The Commission's procedural rules govern practice and procedure in proceedings at both the trial and review levels.

The Commission adopted its present procedural rules on June 29, 1979 (44 FR 38226). Only a few rules have been revised since that time. In 1989, the Commission determined that a general reexamination of its rules was appropriate to take account of ten years of experience with their operation. In developing proposed revisions, the Commission considered its own experience with the rules and also the views of its administrative law judges, who preside at the Commission's trial proceedings. The Commission considered possible revisions in a series of public meetings and in 1990 published proposed revisions in the Federal Register (55 FR 4853). In its discussion of the proposals, the Commission explained that it was adapting its rules to present needs in light of experience and changing practical and legal circumstances. (55 FR 4853).

The proposed rules clarified some procedures, modified the treatment of other procedural subjects in light of case law developments under the Mine Act,

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