

spare parts, and this proposed AD does not address spare parts.

- The EASA AD requires a repeat of the tests for helicopters that have been modified in compliance with AD F-2005-100, and this proposed AD does not.

- The EASA AD also applies to the Model AS332C1 helicopter, and this proposed AD does not because this model does not have an FAA-issued type certificate.

Costs of Compliance

We estimate that this proposed AD would affect three helicopters of U.S. registry. We estimate the following costs to comply with this proposed AD:

We estimate that modification of the control panel, connector, and wiring would take one work hour to complete at \$85 per hour, and that parts would cost \$293. Performing function tests would take about 4.5 hours to complete, for a total labor cost of \$383. Thus, we estimate a total cost per helicopter of \$761, and a total cost of \$2,283 for the fleet.

We do not control warranty coverage. Accordingly, we have included all costs in our cost estimate.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect 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.

For the reasons discussed, I certify 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);
3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and
4. 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.

We prepared an economic evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by Reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by adding the following new Airworthiness Directive (AD):

Eurocopter France (Eurocopter): Docket No. FAA-2012-1015; Directorate Identifier 2007-SW-069-AD.

(a) Applicability

This AD applies to Eurocopter Model AS332C, AS332L, and AS332L1 helicopters not modified per modification (MOD) 0723817, MOD 0725670, MOD 332P083218 or MOD 332A088381, with a main landing gear control panel (control panel) 33G, part number (P/N) 332A67-1623-00, -06, -0610, or -0651; certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as an uncommanded landing gear retraction, which could cause the helicopter nose to drop and hit the ground while the rotor blades are spinning.

(c) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(d) Required Actions

Within 90 days, modify the control panel 33G and connector 100G, route the

1GA5103E wiring, and perform the tests in accordance with the Accomplishment Instructions, Paragraphs 2.B 2.a. through 2.B.3.d., and as depicted in Figures 1 and 2, of Eurocopter Alert Service Bulletin No 32.00.18, Revision 2, dated July 12, 2010.

(e) Alternative Methods of Compliance (AMOC)

(1) The Manager, Rotorcraft Directorate, Safety Management Group, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

(f) Additional Information

(1) For service information identified in this proposed AD, contact American Eurocopter Corporation, 2701 N. Forum Drive, Grand Prairie, TX 75052, telephone (972) 641-0000 or (800) 232-0323, fax (972) 641-3775, or at <http://www.eurocopter.com/techpub>. You may review a copy of the referenced service information at the FAA, Office of the Regional Counsel, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(2) The subject of this AD is addressed in the European Aviation Safety Agency AD No. 2006-0152, dated May 30, 2006.

(g) Subject

Joint Aircraft Service Component (JASC) Code: 3230, landing gear retract/extend system.

Issued in Fort Worth, Texas, on September 14, 2012.

Lance T. Gant,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2012-23460 Filed 9-24-12; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 938

[PA-161-FOR; Docket ID: OSM-2012-0009]

Pennsylvania Regulatory Program

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

ACTION: Proposed rule; extension of comment period and notice of public hearings.

SUMMARY: We are reopening and extending the public comment period and will be holding two public hearings on the proposed amendment to the Commonwealth of Pennsylvania's approved regulatory program (the "Pennsylvania program") published on July 11, 2012. The comment period is being reopened and extended in order to afford the public more time to comment and to allow ample time to conduct two public hearings. This extension was requested by the Citizens Coal Council and the Environmental Integrity Project. We are also notifying the public of the date, time, and locations for the public hearing. Pennsylvania is introducing beneficial use of coal ash into the Pennsylvania statutory scheme via Pennsylvania's Solid Waste Management Act ("SWMA"), the Clean Streams Law ("CSL"), the Surface Mining Conservation and Reclamation Act, and the Administrative Code. Pennsylvania intends to revise its approved program pursuant to the additional flexibility afforded by the revised Federal regulations and SMCRA, as amended, to ensure Pennsylvania's proposed provision is consistent with and in accordance with SMCRA and the corresponding regulations.

DATES: We will accept written comments until 4 p.m., eastern standard time ("EST") on October 19, 2012. Two public hearings will be held on Wednesday, October 17, 2012, at 6 p.m. EST.

ADDRESSES: You may submit comments, identified by "PA-161-FOR; Docket ID: OSM-2012-0009" by either of the following two methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. The proposed rule has been assigned Docket ID: OSM-2012-0009. If you would like to submit comments through the Federal eRulemaking Portal, go to <http://www.regulations.gov> and follow the instructions.

- *Mail/Hand Delivery/Courier:* Mr. Ben Owens, Chief, Pittsburgh Field Division, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Suite 300, Pittsburgh, PA 15220.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see "III. Public Comment Procedures" in the **SUPPLEMENTARY INFORMATION** section of the proposed rule published on July 11, 2012.

Public Hearing: One public hearing will be held in Pittsburgh, Pennsylvania

at the DoubleTree by Hilton Pittsburgh Green Tree, 101 Doubletree Drive, Pittsburgh, Pennsylvania, 15205; phone number: 412-922-8400, on Wednesday, October 17, 2012, at 6:00 p.m. EST. Simultaneously, a public hearing will be held in Pottsville, Pennsylvania at the Ramada Pottsville, at 101 South Progress Avenue, Pottsville, Pennsylvania, 17901; phone number 570-622-4600, on Wednesday, October 17, 2012, at 6:00 p.m. EST time.

Docket: For access to the docket to review copies of the Pennsylvania regulations, the relevant amendment, a listing of any scheduled public hearings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendments by contacting OSM's Pittsburgh Field Division Office; or you can view the full text of the program amendment available for you to read at www.regulations.gov.

In addition, you may review a copy of the amendment during regular business hours at one of the following locations:

Ben Owens, Chief Pittsburgh Field Division, Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, 3 Parkway Center, 3rd Floor, Pittsburgh, Pennsylvania 15220, Telephone: (412) 937-2827, Email: bowens@osmre.gov.

Thomas Callaghan, P.G., Director, Bureau of Mining and Reclamation, Pennsylvania Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 8461, Harrisburg, Pennsylvania 17105-8461, Telephone: (717) 787-5015, Email: tcallaghan@state.pa.us.

FOR FURTHER INFORMATION CONTACT: Ben Owens, Chief, Pittsburgh Field Division, Telephone: (412) 937-2827. Email: bowens@osmre.gov.

SUPPLEMENTARY INFORMATION: On July 11, 2012, (77 FR 40836) we published a proposed rule that would revise the Pennsylvania program. The revisions would add regulations to the Pennsylvania program to regulate coal ash. The key provisions of the rule address the operating requirements for beneficial use of coal ash upon active and abandoned mine land sites. The proposed amendment addition has the following components:

- Chemical and physical certification standards for coal ash to ensure compliance with beneficial use requirements;
- Coal ash monitoring to ensure coal ash meets qualification criteria;

- Water quality monitoring to create a robust dataset to facilitate the evaluation and documentation of water quality at sites where coal ash is beneficially used;

- A minimum number of monitoring points to characterize the groundwater;
- Recording of the landowner consent for placement of coal ash for beneficial use;

- Reporting of volumes and locations where coal ash is beneficially used;

- Operational and monitoring standards for all types of beneficial use;

- A centralized process to qualify coal ash for beneficial use at mine sites;

- An annual fee payable to the Department to offset some of its costs for coal ash and water quality sampling and testing at mine sites where coal ash is beneficially used; and

- Abatement plan requirements in the event that site assessments indicate groundwater or surface water degradation.

On July 19, 2012, (Administrative Record Number, PA 894.06) we received a request from the Citizens Coal Council to hold a public hearing on the amendment and to extend the public comment period. On July 25, 2012, (Administrative Record Number, PA 894.08), we received a request from the Center for Coalfield Justice to hold a public hearing on the amendment. We are granting the request to extend the public comment period to afford the public more time to comment on the amendment and to allow enough time to schedule and hold the hearings, as requested. The date, time and location for the public hearings may be found under **DATES** and **ADDRESSES** above.

The hearings will be open to anyone who would like to attend and/or testify. The primary purpose of the public hearing is to obtain your comments on the proposed rule so that we can prepare a complete and objective analysis of the proposal. The hearing officer will conduct the hearing and receive the comments submitted.

Comments submitted during the hearing will be responded to in the preamble to the final rule, not at the hearing. We appreciate all comments, but those most useful and likely to influence decisions on the final rule will be those that either involve personal experience or include citations to, and analyses of, the Surface Mining Control and Reclamation Act of 1977, its legislative history, its implementing regulations, case law, other State or Federal laws and regulations, data, technical literature, or relevant publications.

At the hearing, a court reporter will record and make a written record of the statements presented. This written record will be made part of the

administrative record for the rule. If you have a written copy of your testimony, we encourage you to give us a copy. It will assist the court reporter in preparing the written record. Any disabled individual who needs reasonable accommodation to attend the public hearing is encouraged to contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Dated: August 13, 2012.

Michael K. Robinson,

Acting Regional Director, Appalachian Region.

[FR Doc. 2012-23521 Filed 9-24-12; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900-AO27

Exempting In-Home Video Telehealth From Copayments

AGENCY: Department of Veterans Affairs.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Department of Veterans Affairs (VA) is withdrawing VA's proposed rulemaking, published in the **Federal Register** on March 6, 2012, to amend its regulation that governs VA

services that are not subject to copayment requirements for inpatient hospital care or outpatient medical care. Specifically, the regulation exempted in-home video telehealth care from having any required copayment. VA received no significant adverse comments concerning the proposed rule or its companion substantially identical direct final rule published on the same date in the **Federal Register**. In a companion document in this issue of the **Federal Register**, we are confirming that the direct final rule became effective on May 7, 2012. Accordingly, this document withdraws as unnecessary the proposed rule.

DATES: The proposed rule is withdrawn as of September 25, 2012.

FOR FURTHER INFORMATION CONTACT:

Kristin J. Cunningham, Director Business Policy, Chief Business Office, Department of Veterans Affairs, 810 Vermont Ave. NW., Washington, DC 20420; (202) 461-1599. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: In a proposed rule published in the **Federal Register** on March 6, 2012, 77 FR 13236, VA proposed to amend 38 CFR 17.108 to eliminate co-payments for in-home video telehealth. Additionally, VA published a companion substantially identical direct final rule at 77 FR 13195 on the same date. The direct final rule

and proposed rule each provided a 30-day comment period that ended on April 5, 2012. No adverse comments were received. Two comments that supported the rulemaking were received from members of the general public.

Because no significant adverse comments were received within the comment period, VA is withdrawing the proposed rule as unnecessary. In a companion document in this issue of the **Federal Register**, VA is confirming the effective date of the direct final rule, RIN 2900-AO26, published at 77 FR 13195.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. John R. Gingrich, Chief of Staff, Department of Veterans Affairs, approved this document on September 18, 2012, for publication.

Dated: September 19, 2012.

Robert C. McFetridge,

Director, Office of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

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