

on the identification plate: Within 20,000 flight hours or 10 years after September 24, 2013 (the effective date of AD 2013-16-08), whichever occurs first, install a new jam nut having part number 49606-5, in accordance with Part B of the Accomplishment Instructions of Bombardier Service Bulletin 670BA-32-031, Revision C, dated April 17, 2012; and Goodrich Service Bulletin 49600-32-64 R3, dated December 15, 2011.

**(j) Retained Credit for Previous Actions With Change to Paragraph (j)(1)(iii) of This AD**

(1) This paragraph restates the credit provided by paragraph (j)(1) of AD 2013-16-08, Amendment 39-17546 (78 FR 51055, August 20, 2013), with a change to the service information citation in paragraph (j)(1)(iii) of this AD. This paragraph provides credit for the actions required by paragraphs (g) and (i) of this AD, if those actions were performed before September 24, 2013 (the effective date of AD 2013-16-08), using the service information specified in paragraph (j)(1)(i), (j)(1)(ii), or (j)(1)(iii) of this AD, which is not incorporated by reference in this AD.

(i) Bombardier Service Bulletin 670BA-32-031, dated March 14, 2011.

(ii) Bombardier Service Bulletin 670BA-32-031, Revision A, dated June 9, 2011.

(iii) Bombardier Service Bulletin 670BA-32-031, Revision B, dated July 29, 2011.

(2) This paragraph restates the credit provided by paragraph (j)(2) of AD 2013-16-08, Amendment 39-17546 (78 FR 51055, August 20, 2013), with no changes. This paragraph provides credit for the actions required by paragraph (h) of this AD, if those actions were performed before September 24, 2013 (the effective date of AD 2013-16-08), using the service information specified in paragraph (j)(2)(i) or (j)(2)(ii) of this AD, which is not incorporated by reference in this AD.

(i) Bombardier Service Bulletin 670BA-32-033, dated March 14, 2011.

(ii) Bombardier Service Bulletin 670BA-32-033, Revision A, dated July 29, 2011.

**(k) Retained Parts Installation Limitations With Change to Paragraph (k)(2) of This AD**

(1) This paragraph restates the parts installation limitation specified in paragraph (k)(1) of AD 2013-16-08, Amendment 39-17546 (78 FR 51055, August 20, 2013), with no changes. As of September 24, 2013 (the effective date of AD 2013-16-08), no person may install on any airplane an MLG retraction actuator assembly having any part number and serial number identified in paragraph 1.A., Effectivity, of Bombardier Service Bulletin 670BA-32-031, Revision C, dated April 17, 2012, unless that retraction actuator assembly has been inspected as specified in paragraph (g) of this AD, and all applicable corrective actions (i.e., replacement of the retract actuator) specified in paragraph (g) of this AD have been done. Repeat the inspection specified in paragraph (g) of this AD thereafter at the intervals specified in paragraph (g) of this AD.

(2) This paragraph restates the parts installation limitation specified in paragraph (k)(2) of AD 2013-16-08, Amendment 39-17546 (78 FR 51055, August 20, 2013), with

a revised part name. As of the effective date of this AD, no person may install on any airplane an MLG dressed shock strut having any part number and serial number identified in paragraph 1.A., Effectivity, of Bombardier Service Bulletin 670BA-32-033, Revision B, dated June 26, 2012, unless that retraction actuator assembly has been inspected and all applicable corrective actions have been done, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 670BA-32-033, Revision B, dated June 26, 2012.

**(l) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York Aircraft Certification Office (ACO), ANE-170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE-170, Engine and Propeller Directorate, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(m) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2011-36R1, dated October 3, 2012, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0483.

(2) For Bombardier service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>.

(3) For Goodrich service information identified in this AD, contact Goodrich Corporation, Landing Gear, 1400 South Service Road, West Oakville L6L 5Y7, Ontario, Canada; telephone 905-825-1568; email [jean.breed@goodrich.com](mailto:jean.breed@goodrich.com); Internet <http://www.goodrich.com/TechPubs>.

Issued in Renton, Washington, on July 13, 2014.

**Jeffrey E. Duven,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2014-17550 Filed 7-24-14; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 573**

**[Docket No. FDA-2014-F-0988]**

**BASF Corp.; Filing of Food Additive Petition (Animal Use)**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice of petition.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing that BASF Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of sodium formate as an acidifier in swine feed.

**DATES:** Submit either electronic or written comments on the petitioner's request for categorical exclusion from preparing an environmental assessment or environmental impact statement by August 25, 2014.

**ADDRESSES:** Submit electronic comments to: <http://www.regulations.gov>. Submit written comments to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Isabel W. Pocurull, Center for Veterinary Medicine (HFV-226), Food and Drug Administration, 7519 Standish Pl. Rockville, MD 20855, 240-453-6853.

**SUPPLEMENTARY INFORMATION:** Under the Federal Food, Drug, and Cosmetic Act (section 409(b)(5) (21 U.S.C. 348(b)(5)), notice is given that a food additive petition (FAP 2286) has been filed by BASF Corp., 100 Park Ave. Florham Park, NJ 07932. The petition proposes to amend Title 21 of the Code of Federal Regulations (CFR) in part 573 *Food Additives Permitted in Feed and Drinking Water of Animals* (21 CFR part 573) to provide for the safe use of sodium formate as an acidifier in swine feed.

The petitioner has requested a categorical exclusion from preparing an environmental assessment or environmental impact statement under 21 CFR 25.32(r). Interested persons may

submit either electronic or written comments regarding this request for categorical exclusion to the Division of Dockets Management (see **DATES** and **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at <http://www.regulations.gov>.

Dated: July 21, 2014.

**Bernadette Dunham,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 2014-17458 Filed 7-24-14; 8:45 am]

**BILLING CODE 4164-01-P**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 816 and 817

[Docket ID: OSM-2014-0003; S1D1S SS08011000 SX066A00067F 134S180110; S2D2S SS08011000 SX066A00 33F 13XS501520]

#### Petition To Initiate Rulemaking; Use of Explosives on Surface Coal Mining Operations

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

**ACTION:** Notice; availability of petition to initiate rulemaking and request for comments on the petition.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), seek comments concerning a petition, submitted pursuant to the Surface Mining Control and Reclamation Act, 30 U.S.C. 1201 et seq. (SMCRA or the Act), requesting that we amend our regulations governing the use of explosives to prohibit visible nitrogen oxide clouds. We are requesting comments on the merits of the petition and the rule changes suggested in the petition. Comments received will assist the Director of OSMRE in making the decision whether to grant or deny the petition.

**DATES:** *Electronic or written comments:* We will accept written comments on the proposed rule on or before August 25, 2014.

**ADDRESSES:** You may submit comments by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. The petition has been assigned Docket ID: OSM-2014-

0003. Please follow the online instructions for submitting comments.

*Mail/Hand-Delivery/Courier:* Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 252 SIB, 1951 Constitution Avenue NW., Washington, DC 20240. Please include the Docket ID: OSM-2014-0003.

**FOR FURTHER INFORMATION CONTACT:** Joshua Rockwell, Division of Regulatory Support, 1951 Constitution Ave. NW., Washington, DC 20240; Telephone: 202-208-2633; Email: [jrockwell@osmre.gov](mailto:jrockwell@osmre.gov).

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. How does the petition process operate?
- II. What action does the petition request that we take?
- III. How may I view the petition and exhibits?
- IV. How do I submit comments on the petition?
- V. Procedural Matters and Required Determinations

#### I. How does the petition process operate?

Section 201(g) of SMCRA, 30 U.S.C. 1201(g), provides that any person may petition the Director of OSMRE to initiate a proceeding for the issuance, amendment, or repeal of any regulation adopted under SMCRA. It also specifies that “the Director shall either grant or deny the petition” within 90 days after receipt. On March 13, 1979, OSMRE adopted regulations at 30 CFR 700.12 to further implement this statutory provision.

Under 30 CFR 700.12(c), we will accept a petition for rulemaking only if the Director determines that it sets forth “facts, technical justification and law which may provide a reasonable basis for issuance, amendment or repeal of a regulation.” The rule also states that facts, technical justification or law previously considered in a different petition or rulemaking on the same issue do not qualify as a reasonable basis. Any petition that does not meet this threshold will be rejected without prejudice.

If we accept the petition, we will publish a notice in the **Federal Register** seeking comments on whether we should grant or deny the petition. At the close of the comment period, the Director will decide to either grant or deny the petition, in whole or in part. We will publish notice of that decision in the **Federal Register**. If the Director grants the petition, we will initiate rulemaking proceedings in which we again will seek public comment before adopting a final rule. If the Director

denies the petition, we will notify the petitioner of the reasons for the decision not to initiate any rulemaking action pursuant to the petition.

In accordance with 30 CFR 700.12(d), the Director’s decision on a petition is a final decision for the Department, which means that the petitioner is not entitled to administrative review of the decision. The Director’s decision on a petition constitutes the final decision of the Department of the Interior. Accordingly, it is not subject to review by the Office of Hearings and Appeals. However, the petitioner may seek judicial review of a decision to reject or deny the petition.

#### II. What action does the petition request that we take?

On April 18, 2014, we received from WildEarth Guardians a petition for rulemaking requesting that OSMRE promulgate rules to prohibit the production of visible nitrogen oxides (NO<sub>x</sub>) emissions during blasting at surface coal mining operations in order to protect the health, welfare, and safety of the public and of mine workers, and to prevent injury to persons. The petition requests that we amend our regulations at 30 CFR 816.67 and 817.67 to prohibit visible NO<sub>x</sub> emissions during blasting and to require that the operator visually monitor all blasting activities and report all instances of visible emissions of NO<sub>x</sub> to the regulatory authority.

#### III. How may I view the petition and exhibits?

You may view and download the complete text of the petition and accompanying exhibits on our home page at <http://www.osmre.gov/programs/rcm/petitions/WEGPetition041414.pdf> and <http://www.osmre.gov/programs/rcm/petitions/WEGPetitionExhibits.pdf> respectively. The petition and exhibits also are available for inspection at the location listed under **ADDRESSES**.

#### IV. How may I comment on the petition?

##### General Guidance

We are seeking comment on the merits of the petition and the requested rule changes. In addition, we seek comment on the extent to which the decision in *In re Permanent Surface Min. Regulation Litig. I, Round II*, 1980 U.S. Dist. LEXIS 17660 at \*43-44 (D.D.C., May 16, 1980), 19 Env’t Rep. Cas. (BNA) 1477, 1491-1492, regarding OSMRE’s authority to regulate air quality, should guide the Director in making the decision to grant or deny the