

## 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:
- a. Removing Airworthiness Directive (AD) 2021-02-15, Amendment 39-21398 (86 FR 10750, February 23, 2021), and
- b. Adding the following new AD:

**The Boeing Company:** Docket No. FAA-2023-1222; Project Identifier AD-2023-00574-T.

#### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by August 24, 2023.

#### (b) Affected ADs

This AD replaces AD 2021-02-15, Amendment 39-21398 (86 FR 10750, February 23, 2021) (AD 2021-02-15).

#### (c) Applicability

This AD applies to The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, and 747SR series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023.

#### (d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

#### (e) Unsafe Condition

This AD was prompted by reports of partial and full inboard foreflap departures from the airplane. The FAA is issuing this AD to address departures of the inboard foreflap assembly from the airplane, which could result in damage to the airplane and adversely affect the airplane's continued safe flight and landing.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Retained Actions, With Revised Compliance Times and Service Information

This paragraph restates the requirements of paragraph (g) of AD 2021-02-15, with revised compliance times and service information. Except as specified by paragraph (h) of this AD: At the applicable times specified in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023, do all applicable actions

identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023.

**Note 1 to paragraph (g):** Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 747-57A2367, Revision 1, dated March 20, 2023, which is referred to in Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023.

#### (h) Exceptions to Service Information Specifications

(1) Where the Compliance Time columns of the tables in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023, use the phrase "the original issue date of Requirements Bulletin 747-57A2367 RB," this AD requires using March 30, 2021 (the effective date of AD 2021-02-15).

(2) Where the Compliance Time columns of the tables in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023, use the phrase "the Revision 1 date of Requirements Bulletin 747-57A2367 RB," this AD requires using "the effective date of this AD."

#### (i) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Alert Requirements Bulletin 747-57A2367 RB, dated November 15, 2019.

#### (j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR-520 Continued Operational Safety Branch, 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR-520 Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved for AD 2021-02-15 are approved as AMOCs for the corresponding provisions of Boeing Alert Requirements Bulletin 747-57A2367 RB,

Revision 1, dated March 20, 2023, that are required by paragraph (g) of this AD.

#### (k) Related Information

(1) For more information about this AD, contact Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3964; email: [Stefanie.N.Roesli@faa.gov](mailto:Stefanie.N.Roesli@faa.gov).

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (l)(3) and (4) of this AD.

#### (l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Alert Requirements Bulletin 747-57A2367 RB, Revision 1, dated March 20, 2023.

(ii) [Reserved]

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website [myboeingfleet.com](http://myboeingfleet.com).

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on June 15, 2023.

#### Michael Linegang,

*Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023-14330 Filed 7-7-23; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 226

[Docket No. BIA-2022-0006; 234A2100DD/AAKC001030/A0A501010.999900; OMB Control Number 1076-0180, 1012-0004, 1012-0006]

RIN 1076-AF59

#### Mining of the Osage Mineral Estate for Oil and Gas

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule; reopening of public comment period.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is reopening the public comment period for the proposed rule revising the regulations governing leasing of the Osage Nation's mineral estate ("Osage Mineral Estate") for oil and gas mining. The BIA is also requesting information regarding the transportation costs for oil produced from the Osage Mineral Estate.

**DATES:** The comment period for the proposed rule published on January 13, 2023 (88 FR 2430), is reopened. Comments must be received by 11:59 p.m. EST on August 18, 2023.

**ADDRESSES:** You may submit your comments on the proposed rule by any of the methods listed below.

- *Federal Rulemaking Portal:* Please visit <https://www.regulations.gov/docket/BIA-2022-0006> or <https://www.regulations.gov> and enter "RIN 1076-AF59" in the search box and click "Search." Follow the instructions for sending comments.

- *Mail:* U.S. Department of the Interior, Eastern Oklahoma Region, Bureau of Indian Affairs, Attn: Regional Director, P.O. Box 8002, Muskogee, OK 74402. All submissions must include the words "Bureau of Indian Affairs" or "BIA" and "RIN 1076-AF59."

- *Hand Delivery/Courier:* U.S. Department of the Interior, Eastern Oklahoma Region, Bureau of Indian Affairs, Attn: Regional Director, 3100 W Peak Boulevard, Muskogee, OK 74402.

**FOR FURTHER INFORMATION CONTACT:** Oliver Whaley, Director, Office of Regulatory Affairs and Collaborative Action, Office of the Assistant Secretary—Indian Affairs, (202) 738-6065, [comments@bia.gov](mailto:comments@bia.gov).

**SUPPLEMENTARY INFORMATION:** On January 13, 2023, the BIA published a proposed rule in the **Federal Register** (88 FR 2430) revised 25 CFR part 226, Leasing of Osage Reservation Lands for Oil and Gas Mining, to strengthen the BIA's management and administration of the Osage Mineral Estate. The proposed rule would allow the BIA to strengthen management of the Osage Mineral Estate by updating bonding, royalty payment and reporting, production valuation and measurement, site security, and operational requirements to address changes in technology and industry standards that have occurred in the 47 years since the regulations were issued.

The proposed rule would also allow the BIA to respond to recommendations made by the Office of Inspector General, U.S. Department of the Interior (OIG).

The public comment period for the proposed rule closed on Friday, April 7, 2023. To give the public additional time to review the proposed revisions and provide comments, the BIA is reopening the public comment period until Friday, August 18, 2023. Comments previously submitted on the proposed rule will be fully considered in preparing the final rule and do not need to be resubmitted.

The BIA also invites comments from anyone who would like to submit information regarding transportation costs for oil produced from the Osage Mineral Estate. The proposed rule states that the value of oil for royalty purposes will be the greater of the NYMEX Calendar Month Average Price of oil at Cushing, Oklahoma, or the actual selling price for the transaction, adjusted for gravity (*see* the proposed 25 CFR 226.37 replacing the current 25 CFR 226.11(a)(2)). In response to the BIA's first request for public comments on the proposed rule, some commenters states that the NYMEX Calendar Month Average Price exceeds what a lessee may receive from a refinery purchasing oil from the Osage Mineral Estate. Those commenters advocated for the value of oil for royalty purposes to be less than the NYMEX Calendar Month Average Price.

The BIA is interested in information regarding the cost of transporting oil from a lease within the Osage Mineral Estate to: (1) a refinery located in Osage County, Oklahoma; and (2) a refinery located in Cushing, Oklahoma. The BIA may consider the incremental cost of transporting oil from the Osage Mineral Estate to Cushing, Oklahoma in determining the method for valuing oil from the Osage Mineral Estate for royalty purposes under any final rule.

**Bryan Newland,**

*Assistant Secretary—Indian Affairs.*

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**BILLING CODE 4337-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2023-0188; FRL-11025-01-R1]

### Air Plan Approval; New Hampshire; Reasonably Available Control Technology for the 2008 and 2015 Ozone Standards

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of New Hampshire. These revisions provide certifications that the State has adopted regulations meeting the requirements for reasonably available control technology (RACT) for the 2008 and 2015 ozone national ambient air quality standards (NAAQS). We are also proposing approval of amendments to a related regulation that New Hampshire revised as part of its RACT certifications for these two NAAQS, a revision to the State's definition of emergency generator, and removal from the SIP of two previously issued RACT orders. This action is being taken under the Clean Air Act.

**DATES:** Written comments must be received on or before August 9, 2023.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OAR-2023-0188 at <https://www.regulations.gov>, or via email to: [mccconnell.robert@epa.gov](mailto:mccconnell.robert@epa.gov). For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional