

challenging the notice of deficiency issued to the possessor solely in that person's capacity as possessor of cash.

(2) *Actions not permitted.* Section 6867 provides that the possessor of cash is treated as the taxpayer solely for purposes of section 7429(a)(1), and is entitled to the written statement of information provided for by that section. The possessor of cash is not treated as the taxpayer for purposes of sections 7429(a)(2) and 7429(b), relating to administrative and judicial review of termination and jeopardy assessments, and may not maintain an action under section 7429 for such review. The possessor of cash is not treated as the taxpayer for purposes of section 7422, relating to civil actions for refund, or chapter 65 of the Internal Revenue Code, relating to abatements, credits, and refunds, and may not institute a suit for refund in district court after the deficiency has been collected.

(e) *Rights of true owner of cash—(1) Actions permitted.* The true owner of cash may request administrative review under section 7429(a)(2) and may maintain a civil action under section 7429(b) for judicial review of an assessment under section 6851 or section 6861 made against the possessor solely in that person's capacity as possessor of cash. Such an action, however, must be preceded by a request for review under section 7429(a)(2) made by the true owner within 30 days after the day on which the possessor is furnished the written statement provided for in section 7429(a)(1). In addition, after the deficiency asserted against the possessor of cash has been levied upon, the true owner of cash may bring an action in federal district court to recover the cash, as provided in section 7426, relating to civil actions by persons other than taxpayers. See, however, section 6532(c), relating to the 9-month statute of limitations for suits under section 7426. In addition, the true owner of cash, with the permission of the court, may appear before the United States Tax Court in any proceeding that may be filed by the possessor of the cash challenging the notice of deficiency issued to the possessor solely in that person's capacity as possessor of the cash.

(2) *Actions not permitted.* The true owner of cash may not file a petition with the United States Tax Court challenging the notice of deficiency issued to the possessor solely in that person's capacity as possessor of cash. Notwithstanding the preceding sentence, the true owner of cash may file a petition with the United States Tax Court challenging any notice of deficiency issued to the true owner

following the abatement of the assessment made against the possessor of cash.

(f) *Definitions.* For the purposes of this section and section 6867—

(1) *Cash.* The term *cash* includes any cash equivalents.

(2) *Cash equivalent—(i) In general.* The term *cash equivalent* includes foreign currency, any bearer obligation, and any medium of exchange that is of a type that has been frequently used in illegal activities, as listed in paragraph (f)(2)(ii) of this section.

(ii) *Specific cash equivalents.* For purposes of paragraph (f)(2)(i), the following are also cash equivalents—

- (A) Coins;
- (B) Precious metals;
- (C) Jewelry;
- (D) Precious stones;
- (E) Postage stamps;
- (F) Traveler's checks in any form;
- (G) Negotiable instruments (including

personal checks, business checks, official bank checks, cashier's checks, notes, and money orders) that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery;

(H) Incomplete instruments (including personal checks, business checks, official bank checks, cashier's checks, notes, and money orders) signed but with the payee's name omitted; and

(I) Securities or stock in bearer form or otherwise in such form that title thereto passes upon delivery.

(iii) *Value of cash equivalents.* A cash equivalent is taken into account at its fair market value except in the case of a bearer obligation, in which case it is taken into account at its face value.

(3) *Possessor of cash.* An individual is considered to be the possessor of cash if the cash is found on that individual's person or in that individual's possession or is found in any object, container, vehicle, or area under that individual's custody or control.

(4) *True owner of the cash.* The true owner of cash is the individual who beneficially owns the cash on the date such cash is found in the physical possession of the individual described in paragraph (f)(3) of this section. An agent, bailee, or other custodian of the cash is not the true owner of cash. A true owner of cash does not include an individual who, subsequent to the date on which the cash is found in the physical possession of the individual described in paragraph (f)(3) of this section, obtains ownership of the cash by purchase, subrogation, descent, or other means.

(g) *Effective date.* This section is effective with respect to cash found in

the physical possession of an individual on or after August 3, 1995.

#### § 301.6867-1T [Removed]

**Par. 3.** Section 301.6867-1T is removed.

**Margaret Milner Richardson,**  
*Commissioner of Internal Revenue.*

Approved: June 29, 1995.

**Leslie Samuels,**

*Assistant Secretary of the Treasury.*  
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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 712

[OPPTS-82046B; FRL-4970-4]

### Toxic Substances; Preliminary Assessment Information Rule Reporting; Response to Comment on the Listing of Isobutyl Alcohol

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

**ACTION:** Final rule.

**SUMMARY:** Pursuant to 40 CFR 712.30(c) of the Toxic Substances Control Act (TSCA) Section 8(a) Preliminary Assessment Information Rule (PAIR), EPA is revising its decision to add isobutyl alcohol (CAS No. 78-83-1) to the PAIR and is withdrawing it from a final rule published in the **Federal Register** of July 5, 1995.

**EFFECTIVE DATE:** This rule is effective on August 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Office (7408), Office of Pollution Prevention and Toxics, Rm. E-543B, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551, e-mail: TSCA-Hotline@epamail.epa.gov.

#### SUPPLEMENTARY INFORMATION:

#### I. Summary of this Action

EPA issued a final rule adding isobutyl alcohol, among other chemical substances, to the TSCA section 8(a) PAIR (40 CFR part 712), which was published in the **Federal Register** of July 5, 1995 (60 FR 34879). The PAIR provides that chemical substances, mixtures, and categories added by the Interagency Testing Committee to the TSCA section 4(e) Priority List, for testing by the Agency, will be added to the PAIR 30 days after EPA publishes in the **Federal Register** a rule amendment listing these chemical substances, mixtures, or categories. The PAIR also

provides that EPA may withdraw substances from the rule, for good cause, prior to the effective date of a substance's listing (40 CFR 712.30(c)).

On July 19, 1995, EPA received a letter from the Oxo Process Panel of the Chemical Manufacturers Association requesting that EPA remove isobutyl alcohol from the PAIR. In the letter, several recent and ongoing activities covering isobutyl alcohol were identified as alternate sources for use and exposure data, including a recent TSCA section 4 rulemaking action (Neurotoxicity Test Rule (58 FR 40262, July 27, 1993) and Testing Consent Order Incorporating Enforceable Consent Agreement (60 FR 4516, January 23, 1995)), and the development of a dossier under the Organization for Economic Cooperation and Development's Screening Information Data Set program. The Oxo Process Panel argued that the data generated or collected as part of these other activities make it unnecessary for the Agency to add isobutyl alcohol to the PAIR.

EPA agrees that information on isobutyl alcohol substantially similar to that which would be required under the PAIR is already or will soon be available. For this reason, EPA is revising its decision to add isobutyl alcohol to the PAIR and withdrawing it from the rule.

## II. Analyses Under E.O. 12866, the Unfunded Mandates Act of 1995, the Regulatory Flexibility Act, and the Paperwork Reduction Act

Because this action reduces certain pending requirements, this action is not "significant" within the meaning of Executive Order 12866 (58 FR 51735, October 4, 1993), and does not impose any Federal mandate on any State, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4). For the same reasons, pursuant to the Regulatory Flexibility Act (5 U.S.C. 605(b)), it has been determined that this action will not have a significant economic impact on a significant number of small entities. Additionally, the information collection requirements associated with the PAIR have been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501, and have been assigned OMB control number 2070-0054. EPA has determined that this rule eliminates certain pending recordkeeping and reporting requirements.

## III. Rulemaking Record

The following documents constitute the record for this action (docket control

number OPPTS-82046B. These documents are available to the public in the TSCA Nonconfidential Information Center (NCIC), formerly the TSCA Public Docket Office, from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. TSCA NCIC is located at EPA Headquarters, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

1. This final rule.
2. The final rule adding isobutyl alcohol to the PAIR (60 FR 34979, July 5, 1995).
3. Letter dated July 19, 1995, from Dr. Langley A. Sperlock, Vice President, CHEMSTAR, Chemical Manufacturers Association, to Susan B. Hazen, Director, Environmental Assistance Division.

### List of Subjects in 40 CFR Part 712

Environmental protection, Chemicals, Hazardous substances, Health and safety data, Reporting and recordkeeping requirements.

Dated: August 1, 1995.

**Denise M. Keehner,**

*Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, 40 CFR part 712 is amended as follows:

1. The authority citation for part 712 continues to read as follows:

**Authority:** 15 U.S.C. 2607(a).

### § 712.30 [Amended]

2. As added in the issue of July 5, 1995, page 34879, in § 712.30(e), under the category OSHA Chemicals in Need of Dermal Absorption Testing, the entire CAS No. entry for 78-83-1 is withdrawn.

[FR Doc. 95-19236 Filed 8-2-95; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### 43 CFR Public Land Order 7149

[CA-940-5700-00; CACA 29517]

#### Withdrawal of National Forest System Land for the Traverse Creek Botanical Special Interest Area; California

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order withdraws 270 acres of National Forest System land from mining for a period of 50 years to protect the Traverse Creek Botanical Special Interest Area. The land has been and will remain open to mineral leasing.  
**EFFECTIVE DATE:** August 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** Duane Marti, BLM California State Office, 2800 Cottage Way, Sacramento, California 95825, 916-979-2858.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)), but not from leasing under the mineral leasing laws, to protect the Forest Service's Traverse Creek Botanical Special Interest Area:

#### Mount Diablo Meridian

Eldorado National Forest

T. 12 N., R. 10 E.,

Sec. 24, lot 2, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 270 acres in El Dorado County.

2. The withdrawal made by this order does not alter the applicability of those land laws governing the use of National Forest System land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 50 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: July 25, 1995.

**Bonnie R. Cohen,**

*Assistant Secretary of the Interior.*

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#### 43 CFR Public Land Order 7150

[AK-932-1410-00; F-14223]

#### Modification of Public Land Order No. 5150, as Amended, for Conveyance of Land to the State of Alaska; Alaska

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order modifies a public land order insofar as it affects approximately 3,840 acres of public land located near Jarvis Creek, which is a portion of an area withdrawn for use as a utility and transportation corridor.