

submitted to the Deputy Administrator, Drug Enforcement Administration, Washington, D.C. 20537. Attention: DEA Federal Register Representative. In the that comments, objections, or requests for a hearing raise one or more issues which the Deputy Administrator finds warrants a hearing, the Deputy Administrator shall order a public hearing by notice in the Federal Register, summarizing the issues to be heard and setting the time for the hearing.

In accordance with the provisions of the CSA [21 U.S.C. 811(a)], this action is a formal rule making "on the record after opportunity for a hearing." Such proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557 and, as such, are exempt from review by the Office of Management and Budget pursuant to Executive Order (E.O.) 12866, section 3(d)(1).

The Deputy Administrator, in accordance with the Regulatory Flexibility Act [5 U.S.C. 605(b)], has reviewed this proposed rule and by approving it certifies that it will not have a significant economic impact on a substantial number of small-business entities. Remifentanyl is a new drug in the United States; recent approval of the product and its labeling by the FDA will allow it to be marketed once it is placed into Schedule II of the CSA. Remifentanyl, a potent opioid drug, can produce drug dependence of the morphine type. This drug is likely to be diverted and abused if access to it is not closely monitored. The labeled indication for use of remifentanyl is to provide analgesia during the induction and maintenance of general anesthesia. It is to be administered by trained professionals in monitored anesthesia care settings. Schedule II narcotic control will provide the necessary drug monitoring. Small-business entities which are likely to handle this drug maintain a Schedule II narcotic registration with the DEA. This proposed rule, if finalized, will allow these entities to have access to a new pharmaceutical product.

This rule will not have substantial direct effects 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. Therefore, in accordance with E.O. 12612, it is determined that this rule, if finalized, does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, drug traffic control, narcotics, prescription drugs.

Under the authority vested in the Attorney General by section 201(a) of the CSA [21 U.S.C. 811(a)], and delegated to the Administrator of the DEA by the Department of Justice regulations (28 CFR 0.100) and redelegated to the Deputy Administrator pursuant to 28 CFR 0.104, the Deputy Administrator hereby proposes that 21 CFR part 1308 be amended as follows:

PART 1308—[AMENDED]

1. The authority citation for 21 CFR part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b) unless otherwise noted.

§ 1308.12 [Amended]

2. Section 1308.12 would be amended by redesignating the existing paragraph (c)(26) as (c)(27) and adding a new paragraph (c)(26) to read as follows:

§ 1308.12 Schedule II.

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(c) * * *

(26) Remifentanyl9739

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Dated: September 9, 1996.

Stephen H. Greene,

Deputy Administrator, Drug Enforcement Administration.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[PS-29-95]

RIN 1545-AT60

Available Unit Rule; Hearing Cancellation

AGENCY: Internal Revenue Service, Treasury.

ACTION: Cancellation of notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of cancellation of a public hearing on proposed regulations concerning the low-income housing credit.

DATES: The public hearing originally scheduled for September 17, 1996, beginning at 10:00 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Christina Vasquez of the Regulations

Unit, Assistant Chief Counsel (Corporate), (202) 622-6808 (not a toll-free number).

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 42 of the Internal Revenue Code. A notice of proposed rulemaking and notice of public hearing appearing in the Federal Register for Thursday, May 30, 1996 (61 FR 27036), announced that a public hearing on the proposed regulations would be held on Tuesday, September 17, 1996, beginning at 10:00 a.m., room 2615, 1111 Constitution Avenue NW, Washington, DC.

The public hearing scheduled for Tuesday, September 17, 1996, is cancelled.

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[VA041-5005b; FRL-5603-6]

Approval and Promulgation of Air Quality Implementation Plans; Virginia Emission Inventory

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing 1990 ozone base year emission inventories for the Virginia ozone nonattainment areas. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth's SIP revisions as a direct final rule without prior proposal because the Agency views them as noncontroversial SIP revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.