Drafting Information: The principal author of the regulations is Judith A.
Lintz, Office of Assistant Chief Counsel (Income Tax & Accounting), Internal
Revenue Service. However, other personnel from the IRS and Treasury
Department participated in their development.

List of Subjects in 26 CFR Part 301
Employment taxes, Estate taxes, 
Excise taxes, Gift taxes, Income taxes, 
Penalties, Reporting and recordkeeping
requirements.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 301 is
proposed to be amended as follows:

PART 301—PROCEDURE AND
ADMINISTRATION

Paragraph 1. The authority citation
for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *
Par. 2. Section 301.7623–1 is revised
to read as follows:

§ 301.7623–1 Rewards for information
relating to violations of internal revenue
laws.

[The text of this proposed revised
section is the same as the text of
§ 301.7623–1T published elsewhere in
this issue of the Federal Register.]

Michael P. Dolan,
Acting Commissioner of Internal Revenue.

[Federal Register Doc. 97–26859 Filed 10–10–97; 8:45 am] 

DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation
and Enforcement
30 CFR Part 946

[VA–111–FOR]
Virginia Abandoned Mine Land
Reclamation Program

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

ACTION: Proposed rule.

SUMMARY: OSM is announcing the 
receipt of a proposed amendment to the 
Virginia Abandoned Mine Land 
Reclamation (AMLR) Program
(hereinafter referred to as the Virginia 
Program) under the Surface Mining 
Control and Reclamation Act of 1977 
(SMCRA), 30 U.S.C. 1201 et seq., 
as amended. The proposed amendment
makes changes to the Ranking and 
Selection section and to the AML Water 
Project Evaluation form. The proposed 
amendment is intended to revise the 
Virginia program to be consistent with 
SMCRA, and to improve the efficiency 
of the Virginia program.

DATES: Written comments must be 
received on or before 4:00 p.m. on 
November 13, 1997. If requested, a 
public hearing on the proposed 
amendments will be held at 1:00 p.m. 
on November 10, 1997. Requests to 
present oral testimony at the hearing 
must be received on or before 4:00 p.m. 
on October 29, 1997.

ADDRESSES: Written comments and 
requests to testify at the hearing should 
be mailed or hand-delivered to Mr. 
Robert A. Penn, Director, Big Stone Gap 
Field Office at the first address listed 
below.

Copies of the Virginia program, the
proposed amendment, a listing of any 
scheduled public meetings or hearing,
and all written comments received in 
response to this notice will be available 
for public review at the address listed 
down during normal business hours, 
Monday through Friday, excluding
holidays:

Office of Surface Mining Reclamation 
and Enforcement:

Big Stone Gap Field Office, P.O. 
Drawer 1217, Powell Valley Square 
Shopping Center, Room 220, Route 
23, Big Stone Gap, Virginia 24219,
Telephone: (703) 523–4303.

Virginia Division of Mined Land 
Reclamation, P.O. Drawer 900, Big 
Stone Gap, Virginia 24213,
Telephone: (703) 523–8100.

Each requestor may receive, free of 
charge, one copy of the proposed 
amendment by contacting the OSM Big 
Stone Gap Field Office.

FOR FURTHER INFORMATION CONTACT: Mr. 
Robert A. Penn, Director, Big Stone Gap 
Field Office, Telephone: (703) 523– 
4303.

SUPPLEMENTARY INFORMATION:

I. Background on the Virginia Program

On December 15, 1981, the Secretary of 
the Interior conditionally approved the 
Virginia program. Background on 
the Virginia program, including the 
Secretary’s findings, the disposition of 
comments, and the conditions of 
approval can be found in the December 
15, 1981 Federal Register (46 FR 61085– 
61115). Subsequent actions concerning 
the conditions of approval and AMLR 
program amendments are identified at 
30 CFR 946.20 and 946.25.

II. Discussion of the Proposed 
Amendment

By letter dated September 19, 1997 
(Administrative Record No. VA–926), 
the Virginia Division of Mined Land 
Reclamation (DMLR) submitted a 
proposed Program Amendment to the 
Virginia Program. This amendment is
intended to revise the Virginia program 
to be consistent with SMCRA at section 
402(g)(6), and to improve the efficiency 
of the Virginia program.

The proposed amendments are as 
follows:

Ranking and Selection 884.13(c)(2)
In this section, Virginia proposes to 
change the heading of the paragraph 
titled “Acid Mine Drainage 
Abatement—Treatment” to read “Set 
Aside Funds,” and to revise the 
language of that subsection to include 
the provisions of part A of section 
402(g)(6) of SMCRA.

The revised language is as follows:

Set Aside Funds

In accordance with Section 402(g)(6)
of SMCRA, Virginia may, without 
regard to the 3 year limitation referred to in 
Section 402(g)(91)(D) of SMCRA, receive 
and retain up to 10 percent of the total 
grants made annually under Section 
402(g) (1) and (5) of SMCRA by the 
Secretary for deposit into either:

A. A special trust fund established 
under State law pursuant to which such 
amounts (together with all interest 
earned on such amounts) are expended 
by Virginia solely to achieve the 
objectives stated in section 403(a) of 
SMCRA after September 30, 1995, or

B. An acid mine drainage abatement 
and treatment fund established under 
State law as provided for under 30 CFR 
Part 876. An interest bearing acid mine 
abatement and treatment fund will be 
utilized by Virginia, in 
consultation with the Natural 
Resources Conservation Service, to implement 
acid mine drainage abatement treatment 
plans approved by the Secretary of the Interior.

These plans shall provide for the 
comprehensive abatement of the causes 
and treatment of the effects of acid mine 
mining within qualified hydrologic units 
fected by coal mining practices. 
The plan shall include, but shall not be 
limited to, each of the following:

(a) An identification of the qualified 
hydrologic unit.

(b) The extent to which acid mine 
mining is affecting the water quality 
and biological resources within the 
hydrologic unit.

(c) An identification of the sources of 
acid mine drainage within the 
hydrologic unit.
(d) An identification of individual projects and the measures proposed to be undertaken to abate and treat the causes or effects of acid mine drainage within the hydrologic unit.

(e) The cost of undertaking the proposed abatement and treatment measures.

(f) An identification of existing and proposed sources of funding for such measures.

(g) An analysis of the cost-effectiveness and environmental benefits of abatement and treatment measures.

Under this program, the term qualified hydrologic unit means a hydrologic unit:

(a) In which the water quality has been significantly affected by acid mine drainage from coal mining practices in a manner which adversely impacts biological resources; and

(b) Which contains lands and water that are:

1. Eligible pursuant to Section 404 and include any of the priorities stated in SMCRA paragraph (1), (2), or (3) of Section 403(a); and

2. Proposed to be the subject of the expenditures by the State from amounts available from the forfeiture of bonds required under Section 509 or from other State sources to mitigate acid mine drainage.

AML Water Project Evaluation Form

The AML Water Project Evaluation form is currently part of the approved Virginia program. Virginia is proposing to change four sections and has provided the following rationale for the changes.

Appropriate Project Costs (Cost Per Connection)

This was revised to more realistically reflect the cost/hook-ups being experienced. Most cost/hook-ups now reflect a 10,000-20,000 range. This is because of the high cost for construction due to the distance between households, and the mountainous terrain.

Affordability

"Costs for 4,200 gal. of treated water" was changed to read "Costs for 3,500 gal. of treated water" to show the average use and to match usage rates used by other funding agencies as reflected in the review manual application.

Level of Commitment of Non-AML Funds

The points award were modified to encourage local funding and leverage AML funding to the maximum extent possible.

AML Bonus Award

This new review category is meant to promote and encourage awards to proposed projects which incorporate regionalization and consolidated management. Regionalization of water systems reduces costs and promotes efficiency in providing water to the greatest number of households. Points awarded for this will be between 1-5, and a total perfect score will now be 105. The average score on projects is 60-80.

In addition to the above changes to the form, Virginia requested that the AML Water Project Evaluation form—figure 2 be removed from the AML State Reclamation Plan and placed into the Administrative Record since additional changes to the form may be necessary in the future.

The full text of proposed program amendment submitted by Virginia is available for public inspection at the addresses listed above. The Director now seeks public comment on whether the proposed amendment is no less effective than the Federal regulations. If approved, the amendment will become part of the Virginia program.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 884.15, OSM is now seeking comments on whether the amendment proposed by Virginia satisfies the applicable requirements for the approval of State AMLR program amendments. If the amendment is deemed adequate, it will become part of the Virginia program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter’s recommendations. Comments received after the time indicated under DATES or at locations other than the Big Stone Gap Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under FOR FURTHER INFORMATION CONTACT by close of business on October 29, 1997. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and who wish to do so will be heard following those scheduled. The hearing will end after all persons who desire to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendments may request a meeting at the Big Stone Gap Field Office by contacting the person listed under FOR FURTHER INFORMATION CONTACT. All such meetings will be open to the public and, if possible, notices of the meetings will be posted in advance at the locations listed above under ADDRESSES. A summary of meeting will be included in the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15 and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on
proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act
This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 et seq.).

Regulatory Flexibility Act
The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

Unfunded Mandates
This rule will not impose a cost of $100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 946
Intergovernmental relations, Surface mining, Underground mining.

Allen D. Klein,
Regional Director, Appalachian Regional Coordinating Center.

EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. 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.

DATEs: Comments must be received in writing by October 29, 1997.
ADDRESSES: Written comments on this action should be addressed to David L. Arnold, Chief, Ozone/CO and Mobile Sources Section, Mail code 3AT21, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.
FOR FURTHER INFORMATION CONTACT: Kristeen Gaffney, (215) 566-2092, at the EPA Region III office or via e-mail at gaffney.kristeen@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.
SUPPLEMENTARY INFORMATION: Refer to the information pertaining to this action, VOC RACT determinations for individual sources located in Virginia, provided in the Direct Final action of the same title located in the Rules and Regulations Section of this Federal Register.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52
[VA 5026b; FRL-5904-6]

Approval and Promulgation of Air Quality Implementation Plans; Virginia: Approval of VOC RACT Determinations for Individual Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve six State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing volatile organic compound (VOC) reasonably available control technology (RACT) for six major sources of VOCs located in Virginia. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth’s SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. 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. If adverse comments are received that do not pertain to all documents subject to this rulemaking action, those documents will be finalized in the manner described here. Only those documents that receive adverse comments will be withdrawn.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52
[VA 5029b; FRL-5904-4]

Approval and Promulgation of Air Quality Implementation Plans; Virginia: VOC RACT for Phillip Morris, Hercules, Virginia Power Station and the Hopewell Regional Wastewater Treatment Plant

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve six State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing volatile organic compound (VOC) reasonably available control technology (RACT) for six major sources located in Virginia. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. 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. If adverse comments are received that do not pertain to all documents subject to this rulemaking action, those documents will be finalized in the manner described here. Only those documents that receive adverse comments will be withdrawn.