

13. Newly designated § 209.13(b) is proposed to be revised to read as follows:

§ 209.13 Employers' gross earnings reports.

* * * * *

(b) Employers shall submit reports annually for employees in the gross earnings sample. Such reports shall include the employee's gross annual earnings, both taxable and non-taxable compensation, for the year. Employers with 5,000 or more employees shall provide a monthly or quarterly breakdown of the year's earnings. Employers with fewer than 5,000 employees may submit an annual amount only, although a monthly or quarterly breakdown is preferable. Gross earnings are to be counted for the same time period as used in determining the employer's annual report of creditable compensation. The reports are to be prepared in accordance with prescribed instructions and filed in accordance with § 209.4 of this part.

(Approved by the Office of Management and Budget under control number 3220-0132)

14. Newly designated § 209.14 is proposed to be amended by removing paragraph (a), by removing paragraph designation "(b)" before the second paragraph, and by removing the terms "Director of Research and Employment Accounts" and "Director" wherever those terms appear, and by adding in their place "Board".

15. Newly designated § 209.15 is proposed to be revised to read as follows:

§ 209.15 Report of separation allowances subject to tier II taxation.

For any employee who is paid a separation payment, the employer must file a report of the amount of the payment. This report shall be submitted to the Board on or before the last day of the month following the end of the calendar quarter in which payment is made. The report must be accompanied by a report indication/specification sheet prescribed by the Board as described in § 200.3(a)(2)(ii) of this chapter.

(Approved by the Office of Management and Budget under control number 3220-0173)

16. Newly designated § 209.16 is amended by revising the reference "§ 209.7" to read "209.9"; "209.13" to read "209.14" and "209.14" to read "209.15" wherever they appear; and by removing "Director of Research and Employment Accounts" wherever it appears and adding in its place "Board".

Dated: January 8, 1998.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 98-1245 Filed 1-16-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

[SPATS No. IL-098-FOR]

Illinois Regulatory Program

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

ACTION: Proposed rule; withdrawal of proposed amendment.

SUMMARY: OSM is announcing the withdrawal of a proposed amendment to the Illinois regulatory program (hereinafter the "Illinois program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment concerned a revision to the Illinois regulations pertaining to administrative review. Illinois is withdrawing the amendment at its own initiative.

FOR FURTHER INFORMATION CONTACT: Andrew R. Gilmore, Director, Indianapolis Field Office, Telephone: (317) 226-6700.

SUPPLEMENTARY INFORMATION: By letter dated November 3, 1997 (Administrative Record No. IL-5000), Illinois submitted a proposed amendment to its program pursuant to SMCRA. Illinois submitted the proposed amendment at its own initiative. In its submission letter, Illinois stated the amendment was necessitated by a permit review case wherein the hearing officer found that the Department's burden of proof standard was improper. The hearing officer ruled that a preponderance of the evidence standard was the appropriate standard to apply in a permit review proceeding. On a subsequent appeal of the administrative case, the circuit court agreed that the clearly erroneous standard was invalid and that the preponderance of the evidence standard was the correct standard to apply (Citizens Organizing Project v. IDNR, 96-MR-126, Sangamon County Circuit Court). The provision of Title 62, Illinois Administrative Code (IAC) that Illinois proposed to amend is at 62 IAC 1847.3(g), permit hearings. Specifically, Illinois proposed to delete the existing language at 62 IAC 1847.3(g) and replace it with the following language:

The standard of proof in a hearing conducted under this Section shall be the preponderance of the evidence.

OSM announced receipt of the proposed amendment in the November 26, 1997, **Federal Register** (62 FR 63045) and invited public comment on its adequacy. The public comment period ended December 26, 1997.

On December 17, 1997 (Administrative Record No. IL-5005), Illinois requested that the proposed amendment be withdrawn, and stated the proposal is being revised and will be resubmitted when it is finalized.

Therefore, the proposed amendment announced in the November 26, 1997, **Federal Register** is withdrawn.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: January 9, 1998.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 98-1214 Filed 1-16-98; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 916

[SPATS No. KS-017-FOR]

Kansas Regulatory Program and Abandoned Mine Land Reclamation Plan

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

ACTION: Proposed Rule; Reopening and Extension of Public Comment Period on Proposed Amendment.

SUMMARY: OSM is announcing receipt of revisions pertaining to a previously proposed amendment to the Kansas regulatory program (hereinafter referred to as the "Kansas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revisions for Kansas's proposed rules pertain to definitions; application for mining permit; civil penalties; permit transfers, assignments, and sales; termination of jurisdiction; exemption for coal and extraction incident to government-financed highway or other construction; exemption for coal extraction incident to the extraction of other minerals; coal exploration; bonding procedures; performance standards; eligible lands and water; liens; contractor responsibility;