

and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Note 3:** The subject of this AD is addressed in British airworthiness directives 002-09-98 and 005-11-98.

Issued in Renton, Washington, on September 9, 1999.

**D.L. Riggin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-24090 Filed 9-14-99; 8:45 am]

BILLING CODE 4910-13-U

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-106004-98]

RIN 1545-AW71

#### **Guidance Under Section 355(d); Recognition of Gain on Certain Distributions of Stock or Securities; Hearing Cancellation**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking.

**SUMMARY:** This document provides notice of cancellation of a public hearing on proposed regulations relating to recognition of gain on certain distributions of stock or securities of a controlled corporation, which would affect corporations and their shareholders.

**DATES:** The public hearing originally scheduled for Tuesday, September 21, 1999, at 10 a.m., is canceled.

**FOR FURTHER INFORMATION CONTACT:** Guy Traynor of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7180 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and/or notice of public hearing that appeared in the **Federal Register** on May 3, 1999, (64 FR 23554), announced that a public hearing was scheduled for September 21, 1999, at 10 a.m., room 2615, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC 20224. The subject of the public hearing is proposed regulations under section 355 of the Internal Revenue Code. The public comment period for these proposed regulations expired on August 2, 1999.

The notice of proposed rulemaking and/or notice of public hearing, instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed. As of September 3, 1999,

no one has requested to speak. Therefore, the public hearing scheduled for September 21, 1999, is canceled.

**Cynthia E. Grigsby,**

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

[FR Doc. 99-23988 Filed 9-14-99; 8:45 am]

BILLING CODE 4830-01-P

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 206

RIN 1010-AC59

#### **Workshop on Valuation of Federal Geothermal Resources**

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of public workshop.

**SUMMARY:** The Minerals Management Service (MMS) will hold a public workshop on valuing Federal geothermal resources in preparation for proposing amendments to its current royalty valuation rules. The purpose of the workshop is to provide an open forum for discussion of methods to value geothermal resources that are not subject to sales transactions (that is, the "no sales" resources). MMS announced its intent to amend the current valuation rules in the **Federal Register** on August 19, 1999 (Advance Notice of Proposed Rulemaking, 64 FR 45213).

**DATES:** The workshop will be held on October 7, 1999, beginning at 8:30 a.m. and ending by 5:00 p.m., Pacific Time.

**ADDRESSES:** The workshop will be held at the Holiday Inn Capitol Plaza, 300 J Street, Sacramento, California 95814; telephone (916) 446-0100.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles Brook, Royalty Valuation Division, Minerals Management Service, P.O. Box 25165, MS 3152, Denver, Colorado 80225-0165; telephone (303) 275-7250; or e-mail charles.brook@mms.gov.

**SUPPLEMENTARY INFORMATION:** The workshop is open to the public to discuss alternative methods of valuing, for royalty purposes, those Federal geothermal resources that are not subject to sales transactions, the so-called "no sales" resources. The workshop is being held in conjunction with MMS's advance notice of proposed rulemaking, which was published in the **Federal Register** on August 19, 1999 (64 FR 45213), announcing our intent to amend the current Federal geothermal valuation regulations in 30 CFR part 206.

We are specifically seeking dialogue on alternatives to the netback procedure currently used to value "no sales" electrical generation resources. In the **Federal Register** notice, we offered three alternatives as a starting point for discussion: (1) Modification of the existing netback valuation procedure, (2) a "rate-of-return" method, and (3) a "percentage-of-revenue" method. In addition to these alternatives, we would like to explore other, new and different valuation methods offered by attendees during the course of the workshop. We are also asking for comments on options to the "alternative fuel" method used to value the "no sales" direct utilization resources. Alternative valuation methods should derive a value for the resource that reflects its market value and should be easy to apply and readily verifiable.

We encourage a workshop atmosphere where attendees can openly discuss alternative valuation methods. Please bring any written descriptions of alternative methods to share with MMS and other workshop attendees. Because space is limited, attendees should make reservations with Charles Brook at (303) 275-7250 or Shelia Dean at (303) 275-7201. We will post minutes of the workshop on the Internet at <http://www.rmp.mms.gov>.

Dated: September 8, 1999.

**R. Dale Fazio,**

*Acting Associate Director for Royalty Management.*

[FR Doc. 99-24075 Filed 9-14-99; 8:45 am]

BILLING CODE 4310-MR-P

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 914

[SPATS No. IN-146-FOR; State Program Amendment No. 98-3]

#### **Indiana Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the Indiana regulatory program (Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposes to add a new section to its rules. The new section requires coal mine operators to submit an annual

report of affected areas to the director of the Indiana Department of Natural Resources (IDNR). Indiana intends to revise its program to improve operational efficiency.

This document gives the times and locations that the Indiana program and amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments until 4:00 p.m., e.s.t., October 15, 1999. If requested, we will hold a public hearing on the amendment on October 12, 1999. We will accept requests to speak at the hearing until 4:00 p.m., e.s.t. on September 30, 1999.

**ADDRESSES:** You should mail or hand deliver written comments and requests to speak at the hearing to Andrew R. Gilmore, Director, Indianapolis Field Office, at the address listed below.

You may review copies of the Indiana program, the amendment, a listing of any scheduled public hearings, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSM's Indianapolis Field Office.

Andrew R. Gilmore, Director,  
Indianapolis Field Office, Office of  
Surface Mining Reclamation and  
Enforcement, Minton-Capehart  
Federal Building, 575 North  
Pennsylvania Street, Room 301,  
Indianapolis, IN 46204, Telephone:  
(317) 226-6700.

Indiana Department of Natural  
Resources, Bureau of Mine  
Reclamation, 402 West Washington  
Street, Room W-295, Indianapolis,  
Indiana 46204, Telephone: (317) 232-  
1291.

Indiana Department of Natural  
Resources, Division of Reclamation,  
R.R. 2, Box 129, Jasonville, Indiana  
47438-9517, Telephone: (812) 665-  
2207.

**FOR FURTHER INFORMATION CONTACT:**  
Andrew R. Gilmore, Director,  
Indianapolis Field Office. Telephone:  
(317) 226-6700. Internet:  
INFOMAIL@indgw.osmre.gov.

#### **SUPPLEMENTARY INFORMATION:**

### **I. Background on the Indiana Program**

On July 29, 1982, the Secretary of the Interior conditionally approved the Indiana program. You can find background information on the Indiana program, including the Secretary's

findings, the disposition of comments, and the conditions of approval in the July 26, 1982, **Federal Register** (47 FR 32107). You can find later actions on the Indiana program at 30 CFR 914.10, 914.15, 914.16, and 914.17.

### **II. Description of the Proposed Amendment**

By letter dated August 31, 1999 (Administrative Record No. IND-1668), Indiana sent us an amendment to its program under SMCRA. Indiana sent the amendment at its own initiative. Indiana proposes to amend the Indiana Administrative Code (IAC) by adding 310 IAC 12-5-159. Below is a summary of the new section proposed by Indiana. The full text of the proposed program amendment is available for your inspection at the locations listed above under **ADDRESSES**.

#### *310 IAC 12-5-159 Annual Report*

Indiana proposes the following definition of "mined land" at subsection (a):

As used in this section, "mined land" means the following:

- (1) Land from which coal has been extracted.
- (2) Land from which overburden has been removed.
- (3) Land upon which overburden or spoil has been deposited to facilitate surface coal mining activities. Mined land does not include land where only auger mining has occurred as reported in subsection (c)(3)(D).

Indiana proposes to define "surface disturbed land" at subsection (b). As used in 310 IAC 12-5-159, "surface disturbed land" means land, other than mined land, that is disturbed by surface coal mining and reclamation operations. It includes areas where only topsoil is removed. Various examples of surface disturbed land are listed. When the surface disturbance will be reaffected by future overburden removal or deposition, the permittee need not report surface disturbed land in advance of the highwall.

At subsection (c), permittees must submit an annual report of affected areas for each permit for surface coal mining and reclamation operations. The reporting period is from November 1 through October 31 of each year. The report must be submitted to the Director of IDNR no later than 90 days after October 31 of each year. The report must document the acres affected annually as of October 31 of the reporting year. It must include the name and address of the permittee and, if different from the permittee, the name and address of the person or persons conducting the mining. It must also include the permit number and a

summary of acres mined and disturbed during the reporting period. The acreage summary must include acres of mined land, acres of surface disturbed land, total permit acres, and acres of auger mining and highwall mining.

At subsection (d), Indiana requires a dated aerial photograph of the surface coal mining and reclamation operation taken between September 1 and December 31 of the reporting year to be included with the report. The photograph must be of the same scale as the permit maps. The photograph or a certified map must show the location of the permit boundary; acres reported; section, township, and range lines; all public roads within the permit area that are not permanently closed; all areas where coal has been removed by surface, auger, or highwall mining methods; and the highwall face as of November 1 of the reporting year.

At subsection (e), Indiana requires that the last report, after the permittee has completed all mining, include a summary of pre-mining land use acreage for the mined and surface disturbed area when the acres are available on a computer-aided design (CAD) or other digital data format.

At subsection (f), any associated map, whether separate from or created upon the photograph, must be prepared by or under the direction of and certified by a qualified registered professional engineer or certified professional geologist with assistance from experts in related fields such as land surveying or landscape architecture.

At subsection (g), permits issued and land affected before the effective date of 310 IAC 12-5-159 and for which a Report of Affected Area has not been filed, the initial photograph must show all areas disturbed since permit issuance. No distinction between mined land and surface disturbed land is required on the report form, photograph, or map. When available, the extent of auger areas must be shown.

At subsection (h), no report is necessary after the initial report is submitted if no additional acres have been disturbed during the reporting year.

### **III. Public Comment Procedures**

Under the provisions of 30 CFR 732.17(h), we are requesting comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Indiana program.

#### *Written Comments*

Our practice is to make comments, including names and home addresses of

respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the administrative record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the administrative record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Your written comments should be specific and pertain only to the issues proposed in this rulemaking. You should explain the reason for any recommended change. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Indianapolis Field Office.

Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "Attn: SPATS No. IN-146-FOR" and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, contact the Indianapolis Field Office at (317) 226-6700.

#### *Public Hearing*

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., e.s.t. on September 30, 1999. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodations to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

You should file a written statement at the time you request the hearing. This will allow us to prepare adequate responses and appropriate questions. The public hearing will continue on the specified date until all persons scheduled to speak have been heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We

will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

#### *Public Meeting*

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. If you wish to meet with us to discuss the amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

#### **IV. Procedural Determinations**

##### *Executive Order 12866*

The Office of Management and Budget (OMB) exempts this rule from review 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 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 State regulatory programs and program amendments must be based solely on a determination of 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*

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on 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 corresponding 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. Therefore, this rule will ensure that existing requirements previously published 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 corresponding Federal regulations.

##### *Unfunded Mandates*

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

##### **List of Subjects in 30 CFR Part 914**

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 8, 1999.

##### **Brent Wahlquist,**

*Regional Director, Mid-Continent Regional Coordinating Center.*

[FR Doc. 99-24061 Filed 9-14-99; 8:45 am]

BILLING CODE 4310-05-P

## **NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

### **36 CFR Part 1228**

#### **Agency Records Center Rule**

**AGENCY:** National Archives and Records Administration.

**ACTION:** Initial Regulatory Flexibility Analysis.

**SUMMARY:** The National Archives and Records Administration (NARA) is publishing this initial regulatory flexibility analysis to aid the public in commenting upon the small business impact of its proposed rule revising and updating the standards that records center storage facilities must meet to store Federal records.

**DATES:** Written comments must be received at the address shown in the