

character of a one-time payment that is made by a payor in connection with the alteration or modification described in paragraph (a)(1), (2), or (3) of this section is the same as the source and character that would otherwise apply to a payment made by the payor with respect to the debt instrument or non-debt contract that is altered or modified.

(e) *Coordination with provision for grandfathered obligations under chapter 4.* A non-debt contract that is modified only as described in paragraph (a)(2) or (3) of this section is not materially modified for purposes of § 1.1471-2(b)(2)(iv).

(f) *Coordination with the OID and REMIC rules.* For rules regarding original issue discount on certain debt instruments that provide for a rate referencing an IBOR, see § 1.1275-2(m). For rules regarding certain interests in a REMIC that provide for a rate referencing an IBOR, see § 1.860G-1(e).

(g) *Applicability date.* This section applies to an alteration of the terms of a debt instrument or a modification of the terms of a non-debt contract that occurs on or after the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**. Taxpayers and their related parties, within the meaning of sections 267(b) and 707(b)(1), may apply this section to an alteration of the terms of a debt instrument or a modification of the terms of a non-debt contract that occurs before the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**, provided that the taxpayers and their related parties consistently apply the rules of this section before that date. See section 7805(b)(7).

■ **Par. 6.** Section 1.1271-0 is amended by adding a reserved entry for § 1.1275-2(l) and by adding entries for § 1.1275-2(m) to read as follows:

§ 1.1271-0 Original issue discount; effective date; table of contents.

* * * * *

§ 1.1275-2 Special rules relating to debt instruments.

* * * * *

(l) [Reserved]
(m) Transition from interbank offered rates.

- (1) In general.
- (2) Single qualified floating rate.
- (3) Remote contingency.
- (4) Change in circumstances.
- (5) Applicability date.

* * * * *

■ **Par. 7.** Section 1.1275-2, as proposed to be amended at 84 FR 47210, September 9, 2019, is further amended by adding paragraph (m) to read as follows:

§ 1.1275-2 Special rules relating to debt instruments.

* * * * *

(m) *Transition from interbank offered rates—(1) In general.* This paragraph (m) applies to a variable rate debt instrument (as defined in § 1.1275-5(a)) that provides both for a qualified floating rate that references an interbank offered rate (IBOR) and for a methodology to change the IBOR-referencing rate to a different rate in anticipation of the IBOR becoming unavailable or unreliable. See § 1.1001-6 for additional rules that may apply to a debt instrument that provides for a rate referencing an IBOR.

(2) *Single qualified floating rate.* If a debt instrument is described in paragraph (m)(1) of this section, the IBOR-referencing rate and the different rate are treated as a single qualified floating rate for purposes of § 1.1275-5.

(3) *Remote contingency.* If a debt instrument is described in paragraph (m)(1) of this section, the possibility that the IBOR will become unavailable or unreliable is treated as a remote contingency for purposes of paragraph (h) of this section.

(4) *Change in circumstances.* If a debt instrument is described in paragraph (m)(1) of this section, the fact that the IBOR has become unavailable or unreliable is not treated as a change in circumstances for purposes of paragraph (h)(6) of this section.

(5) *Applicability date.* Paragraph (m) of this section applies to debt instruments issued on or after the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**. However, a taxpayer may apply paragraph (m) of this section to debt instruments issued before the date of publication of a Treasury decision adopting these rules as final regulations in the **Federal Register**. See section 7805(b)(7).

Sunita Lough,

Deputy Commissioner for Services and Enforcement.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-104870-18]

RIN 1545-BO68

Taxable Year of Income Inclusion Under an Accrual Method of Accounting; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to a notice of proposed rulemaking.

SUMMARY: This document contains a correction to a notice of proposed rulemaking (REG-104870-18) that was published in the **Federal Register** on September 9, 2019. The proposed regulations are regarding the timing of income inclusion under section 451 of the Internal Revenue Code. The proposed regulations reflect changes made by the Tax Cuts and Jobs Act.

DATES: Written or electronic comments and requests for a public hearing are still being accepted and must be received by November 8, 2019.

ADDRESSES: Send submissions to Internal Revenue Service, CC:PA:LPD:PR (REG-104870-18), Room 5205, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to Courier's Desk, Internal Revenue Service, CC:PA:LPD:PR (REG-104870-18), 1111 Constitution Avenue NW, Washington, DC 20224. Alternatively, persons may submit comments electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (IRS REG-104870-18).

FOR FURTHER INFORMATION CONTACT: Concerning §§ 1.446-2, 1.451-3(d)(2), 1.451-3(i), 1.1275-2(l), and any other provisions within the jurisdiction of the Associate Chief Counsel (Financial Institutions and Products), Charles Culmer, (202) 317-4528; concerning the rest of the proposed regulations, Charles Gorham, (202) 317-5091; concerning submissions of comments and requests for a public hearing, Regina L. Johnson, (202) 317-6091 (not toll-free numbers).

FOR FURTHER INFORMATION CONTACT: Send submissions to Internal Revenue Service, CC:PA:LPD:PR (REG-104870-18), Room 5205, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered Monday through Friday between the hours of 8 a.m. and 4 p.m.

to Courier's Desk, Internal Revenue Service, CC:PA:LPD:PR (REG-104870-18), 1111 Constitution Avenue NW, Washington, DC 20224. Alternatively, persons may submit comments electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (IRS REG-104870-18).

SUPPLEMENTARY INFORMATION:

Background

The proposed regulations that are the subject of this correction are under section 451 of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed regulations (REG-104870-18) contains errors which may prove to be misleading and need to be clarified.

Correction of Publication

Accordingly, the notice of proposed rulemaking (REG-104870-18) that was the subject of FR Doc. 2019-19325, published at 84 FR 47191 (September 9, 2019), is corrected to read as follows:

1. On page 47192, first column, the first line under in the caption **FOR FURTHER INFORMATION CONTACT**, the language "Concerning §§ 1.446-2, 1.451-3 (d)(2)," is corrected to read "Concerning §§ 1.446-2, 1.451-3 (d)."
2. On page 47192, third column, the first line of the last partial paragraph, the language "Proposed § 1.451-3 (d)(1) clarifies that" is corrected to read "Proposed § 1.451-3 (d) clarifies that".
3. On page 47193, first column, the third line of the first full paragraph, the language "3(d)(2) also provides that the AFS" is corrected to read "3(d) also provides that the AFS".
4. On page 47197, second column, the second line from the bottom of the first full paragraph, the language "2018-80 (2018 IRB 609), issued" is corrected to read "2018-80 (2018 42 IRB 609), issued".
5. On page 47197, second column, the sixth line under the caption "Proposed Applicability Date," the language, "specified fee, proposed § 1.451-3(i)(2) is" is corrected to read "specified fee other than a specified credit card fee, proposed § 1.451-3(i)(2) is".

§ 1.451-3 [Corrected]

- 6. On page 47205, first column, the entry for the table of content paragraph (h)(4), the language "covers mismatched reportable periods" is corrected to read

"covers mismatched reportable periods."

Martin V. Franks,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2019-21949 Filed 10-8-19; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2019-0203; FRL-10000-75-Region 4]

Air Quality Plans; Tennessee; Infrastructure Requirements for the 2015 8-Hour Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the State Implementation Plan (SIP) submission, provided by the State of Tennessee, through the Tennessee Department of Environment and Conservation (TDEC), through a letter dated September 13, 2018, for inclusion into the Tennessee SIP. This proposal pertains to the infrastructure requirements of the Clean Air Act (CAA or Act) for the 2015 8-hour ozone national ambient air quality standard (NAAQS). Whenever EPA promulgates a new or revised NAAQS, the CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA. TDEC certified that the Tennessee SIP contains provisions that ensure the 2015 8-hour ozone NAAQS is implemented, enforced, and maintained in Tennessee. EPA is proposing to determine that portions of Tennessee's SIP submission satisfy certain required infrastructure elements for the 2015 8-hour ozone NAAQS.

DATES: Written comments must be received on or before November 8, 2019.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R04-OAR-2019-0203 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business

Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Tiereny Bell, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, 30303-8960. Ms. Bell can be reached via electronic mail at bell.tiereny@epa.gov or via telephone at (404) 562-9088.

SUPPLEMENTARY INFORMATION:

I. Background and Overview

On October 1, 2015 (published October 26, 2015, *see* 80 FR 65292), EPA promulgated a revised primary and secondary NAAQS for ozone revising the 8-hour ozone NAAQS from 0.075 parts per million to a new more protective level of 0.070 ppm. Pursuant to section 110(a)(1) of the CAA, states are required to submit SIP revisions meeting the applicable requirements of section 110(a)(2) within three years after promulgation of a new or revised NAAQS or within such shorter period as EPA may prescribe. Section 110(a)(2) requires states to address basic SIP elements such as requirements for monitoring, basic program requirements, and legal authority that are designed to assure attainment and maintenance of the NAAQS. This particular type of SIP is commonly referred to as an "infrastructure SIP." States were required to submit such SIPs for the 2015 8-hour ozone NAAQS to EPA no later than October 1, 2018.¹

¹ In these infrastructure SIP submissions, states generally certify evidence of compliance with sections 110(a)(1) and (2) of the CAA through a combination of state regulations and statutes, some of which have been incorporated into the federally-approved SIP. In addition, certain federally-approved, non-SIP regulations may also be appropriate for demonstrating compliance with sections 110(a)(1) and (2).