

be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 96-ACE-3." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which describes the procedures.

#### The Proposal

The FAA is considering an amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to provide additional controlled airspace for a new Instrument Flight Rules (IFR) procedure at the Philip Billard Municipal Airport, Topeka, KS; Kingman Municipal Airport, Kingman, KS; Hutchinson Municipal Airport, Hutchinson, KS; and Wahoo Municipal Airport, Wahoo, KS. The additional airspace would segregate aircraft operating under VFR conditions from aircraft operating under IFR procedures. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation

listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

#### PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 24 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

ACE KS E5 Topeka, Philip Billard Airport, KS

Topeka, Philip Billard Municipal Airport, KS  
(Lat. 39°04'08" N., long. 95°37'21" W.)

Topeka VORTAC

(Lat. 39°08'14" N., long. 95°32'57" W.)

BILOY LOM/NDB

(Lat. 39°07'13" N., long. 95°41'14" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Philip Billard Municipal Airport, and within 1.8 miles each side of the 039° radial of the Topeka VORTAC extending

from the 6.4-mile radius to 7 miles northeast of the VORTAC, and within 4 miles southwest and 7 miles northeast of the Philip Billard Municipal Airport ILS localizer course extending from 15 miles southeast of the airport to 12 miles northwest of BILOY LOM/NDB.

\* \* \* \* \*

ACE KS E5 Kingman, KS

Kingman Municipal Airport, KS

(Lat. 37°40'00" N., long. 98°07'22" W.)

Hutchinson VORTAC

(Lat. 37°59'49" N., long. 97°56'03" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Kingman Municipal Airport, and within 2.2 miles each side of the 204° radial of Hutchinson VORTAC extending from the 6.4-mile radius to 11.2 miles north of the airport.

\* \* \* \* \*

ACE KS E5 Hutchinson, KS

Hutchinson Municipal Airport, KS

(Lat. 38°03'56" N., long. 97°51'38" W.)

Hutchinson VORTAC

(Lat. 37°59'49" N., long. 97°56'03" W.)

SALTT LOM

(Lat. 38°07'25" N., long. 97°55'36" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Hutchinson Municipal Airport, and within 4 miles each side of the Hutchinson ILS localizer northwest course extending to 16 miles northwest of the SALTT LOM, and within 4 miles each side of the ILS localizer back course extending from the 6.6-mile radius to 7.4 miles southwest of the airport, and within 4 miles each side of the 042° radial of the Hutchinson VORTAC extending from the 6.6-mile radius to 7.4 miles northeast of the airport, and within 4 miles each side of the 222° radial of Hutchinson VORTAC extending from the 6.6-mile radius to 11.2 miles southwest of the airport.

\* \* \* \* \*

ACE NE E5 Wahoo, NE

Wahoo Municipal Airport, NE

(Lat. 41°14'25" N., long. 96°35'41" W.)

Wahoo NOB

(Lat. 41°14'21" N., long. 96°35'54" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Wahoo Municipal Airport, and within 2.6 miles each side of the 032° bearing from the Wahoo NDB extending from the 6.4-mile radius to 7.4 miles northeast of the airport, excluding that portion which lies within the Fremont, NE Class E airspace.

\* \* \* \* \*

Issued in Kansas City, MO, on March 15, 1996.

Herman J. Lyons, Jr.,

Manager, Air Traffic Division, Central Region.

[FR Doc. 96-8795 Filed 4-8-96; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71****[Airspace Docket No. 96-ACE-4]****Proposed Amendment to Class E Airspace; KS, and Independence, KS****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to amend the Class E airspace area at Abilene Municipal Airport, Abilene, KS, and Independence Municipal Airport, Independence, KS. The development of new Standard Instrument Approach Procedures (SIAP) has made the proposal necessary. The new procedure at Abilene, KS, will be based upon the Global Positioning System (GPS), and the new procedure at Independence, KS, will be a standard Instrument Landing System (ILS). The intended effect of this proposal is to provide additional controlled airspace for aircraft executing the SIAPs at the above airports.

**DATES:** Comments must be received on or before June 3, 1996.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Operations Branch, ACE-530, Federal Aviation Administration, Docket No. 96-ACE-4, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Assistant Chief Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the office of the Manager, Operations Branch, Air Traffic Division, at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Operations Branch, ACE-530C, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-3408.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and

be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 96-ACE-4." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, SW, Washington, DC 20591, or by calling (202) 267-3484.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2, which describes the procedures.

**The Proposal**

The FAA is considering an amendment to Part 71 if the Federal Aviation Regulations (14 CFR Part 71) to provide additional controlled airspace for new Instrument Flight Rules (IFR) procedures at the Abilene Municipal Airport, Abilene, KS, and Independence Municipal Airport, Independence, KS. The additional airspace would segregate aircraft operating under VFR conditions from aircraft operating under IFR procedures. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

**PART 71—[AMENDED]**

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**ACE KS E5 Abilene, KS**

Abilene Municipal Airport, KS.  
(lat. 38°54'15" N., long 95°14'09" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Abilene Municipal Airport and within 2.6 miles each side of the 180° bearing from the Abilene Municipal Airport extending from the 6.3-mile radius to 7 miles south of the airport.

\* \* \* \* \*

**ACE KS E5 Independence, KS**

Independence Municipal Airport, KS  
(lat. 37°09'26" N., long. 95°46'53" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Independence Municipal Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on March 21, 1996.

Herman J. Lyons, Jr.,

*Manager, Air Traffic Division, Central Region.*

[FR Doc. 96-8796 Filed 4-8-96; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[INTL-0009-95]

RIN 1545-AT42

#### **Certain Transfers of Domestic Stock or Securities by U.S. Persons to Foreign Corporations; 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 relating to certain transfers of stock or securities of domestic corporations by United States persons pursuant to the corporate organization, reorganization or liquidation provisions of the Internal Revenue Code.

**DATES:** The public hearing originally scheduled for April 11, 1996, beginning at 10:00 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Christina Vasquez of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7180.

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed regulations under section 367 of the Internal Revenue Code. A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing appearing in the Federal Register for Tuesday, December 26, 1995 (60 FR 66771), announced that a public hearing on the proposed regulations would be held on Thursday, April 11, 1996, beginning at 10:00 a.m., in the IRS Auditorium, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, D.C. The public hearing scheduled for Thursday, April 11, 1996, is cancelled.

Cynthia E. Grigsby,

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

[FR Doc. 96-8913 Filed 4-5-96; 12:08 pm]

BILLING CODE 4830-01-U

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### **30 CFR Parts 6, 18, 19, 20, 21, 22, 23, 26, 27, 29, 33, and 35**

RIN 1219-AA87

#### **Testing and Evaluation by Nationally Recognized Testing Laboratories and Use of Equivalent Testing and Evaluation Requirements**

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Proposed rule; notice of rescheduled public hearing and close of record.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) has rescheduled the public hearing on its proposed regulations for testing and evaluation of products by nationally recognized testing laboratories (NRTL) and the use of equivalent testing and evaluation requirements. The purpose of the hearing is to receive relevant comments on the proposed changes to MSHA's regulations for the approval of products for use in underground mines and to respond to questions from the public about these proposed changes.

**DATES:** The hearing will be held on Tuesday, April 30, 1996, in Washington, PA beginning at 9:00 a.m. The public record will close on May 31, 1996.

**ADDRESSES:** The hearing will be held at the Meadowlands Holiday Inn, Conference Center Suite, 340 Race Track Road, Washington, Pennsylvania 15301. For hotel reservations call Loretta at 412-222-6200.

Send requests to make oral presentations to the Mine Safety and Health Administration; Office of Standards, Regulations, and Variances; 4015 Wilson Boulevard, Room 631; Arlington, VA 22203. Requests to make oral presentations also can be faxed or called in to the MSHA, Office of Standards, Regulations, and Variances at 703-235-1910, fax: 703-235-5551.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Director; Office of Standards, Regulations, and Variances; 703-235-1910.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On November 30, 1994, MSHA published a proposed rule (59 FR 61376) to revise its existing standards for testing and evaluating products for approval for use in underground mines. The comment period closed on February 21, 1995.

The proposal would require manufacturers of certain products to use

a private sector laboratory recognized by the Occupational Safety and Health Administration (OSHA) as a Nationally Recognized Testing Laboratory (NRTL) to perform the necessary testing and evaluation for MSHA approvals. This proposed rule would revise MSHA's testing and evaluation responsibilities and allow the Agency to expand its post-approval product audit program and pursue the evaluation of new safer technology as applied to underground mining products.

MSHA specifically solicits additional suggestions and comments on these issues at the public hearing, as well as comments on any other aspects of the proposed rule.

##### **II. Conduct of Hearing**

The hearing will be conducted in an informal manner by a panel of MSHA officials. The order of appearance of persons making presentations will be determined by the Agency and, immediately before the hearing, any unallotted time will be made available to persons making late requests. Although formal rules of evidence will not apply, the presiding official may exercise discretion in excluding irrelevant or unduly repetitious material and questions.

The hearing will begin with an opening statement from MSHA followed by an opportunity for members of the public to make oral presentations. During these presentations, the hearing panel will be available to answer relevant questions. At the discretion of the presiding official, speakers may be limited to a maximum of 20 minutes for their presentations. Time will be made available at the end of the hearings for rebuttal statements.

Verbatim transcripts of the proceedings will be taken and made a part of the rulemaking record. Copies of the hearing transcript will be made available for review by the public.

MSHA also will accept additional written comments and other appropriate data from any interested party, including those not presenting oral statements. Written comments and data submitted to MSHA will be included in the rulemaking record. To allow for the submission of any post-hearing comments, the record will remain open until May 31, 1996.

Dated: March 29, 1996.

J. Davitt McAteer,

*Assistant Secretary for Mine Safety and Health.*

[FR Doc. 96-8751 Filed 4-8-96; 8:45 am]

BILLING CODE 4510-43-P