

Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### 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, aeronautical, 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. 95-ASO-21." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified 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 NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

##### The Proposal

The FAA is proposing an amendment to Title 14 of the Code of Federal Aviation Regulations part 71 (14 CFR part 71) to modify J-46 by extending the

route from Volunteer, TN, to Alma, GA. The volume of aircraft requesting radar vectoring from Volunteer, TN, to Alma, GA, via Athens, GA, has increased. This increase in traffic has made it necessary for a published route to simplify aircraft navigation, reduce controller workload, and to enhance ATC procedures in that area.

Jet routes are published in paragraph 2004 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 jet route 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. It, therefore—(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 rule, when promulgated, 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

Airspace, Incorporation by reference, Navigation (air).

##### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### **PART 71—[AMENDED]**

1. The authority citation for 14 CFR 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.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the 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 2004—Jet Routes

\* \* \* \* \*

J-46 [Revised]

From Tulsa, OK, via Walnut Ridge, AR; Nashville, TN; to Volunteer, TN; Athens, GA; to Alma, GA.

\* \* \* \* \*

Issued in Washington, DC, on August 13, 1996.

Jeff Griffith,

*Program Director for Air Traffic Airspace Management.*

[FR Doc. 96-21592 Filed 8-23-96; 8:45 am]

BILLING CODE 4910-13-P-M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[PS-39-93]

RIN 1545-AR63

#### Definition of Structure; Hearing

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Change of location of public hearing.

**SUMMARY:** This document changes the location of the public hearing on proposed regulations relating to deductions available upon demolition of a building.

**DATES:** The public hearing is being held on Wednesday, October 9, 1996, beginning at 10:00 a.m.

**ADDRESSES:** The public hearing originally scheduled in the Commissioner's Conference Room, Internal Revenue Building, 1111 Constitution Avenue NW, Washington, DC is changed to room 2615, Internal Revenue Building, 1111 Constitution Avenue NW, Washington, DC.

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

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking and notice of public hearing appearing in the Federal Register on Thursday, June 20, 1996 (61 FR 31473), announced that a public hearing on proposed regulations relating to deductions available upon demolition of a building will be held on Wednesday, October 9, 1996, beginning at 10:00 a.m. in the Commissioner's Conference Room, 1111 Constitution Avenue NW, Washington, DC and that request to speak and outlines of oral comments should be received by Wednesday, September 18, 1996.

The location of the public hearing has changed. The hearing is scheduled for

Wednesday, October 9, 1996, beginning at 10:00 a.m. in room 2615, Internal Revenue Building, 1111 Constitution Avenue NW, Washington, DC. The requests to speak and outlines of oral comments must have been received by Wednesday, September 18, 1996. Because of controlled access restrictions, attendees are not admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

The Service will prepare an agenda showing the scheduling of the speakers after the outlines are received from the persons testifying and make copies available free of charge at the hearing.

Michael L. Slaughter,

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

[FR Doc. 96-21600 Filed 8-23-96; 8:45 am]

BILLING CODE 4830-01-U

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 935

[OH-239-FOR, #73]

#### Ohio Regulatory Program

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

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

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Ohio regulatory program (hereinafter referred to as the "Ohio program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to sections of the Ohio Administrative Code (OAC) dealing with surface mining operations on remining areas. The amendment is intended to revise the Ohio program to be consistent with the Federal regulations as amended on November 27, 1995 (60 FR 58480).

**DATES:** Written comments must be received by 4:00 p.m., [E.D.T.] September 25, 1996. If requested, a public hearing on the proposed amendment will be held on September 20, 1996. Requests to speak at the hearing must be received by 4:00 p.m., [E.D.T.], on September 10, 1996.

**ADDRESSES:** Written comments and requests to speak at the hearing should be mailed or hand delivered to George Rieger, Field Branch Chief, at the address listed below.

Copies of the Ohio program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Appalachian Regional Coordinating Center.

George Rieger, Field Branch Chief,  
Appalachian Regional Coordinating  
Center, Office of Surface Mining  
Reclamation and Enforcement, 3  
Parkway Center, Pittsburgh, PA  
15220, Telephone: (412) 937-2153  
Ohio Division of Mines and  
Reclamation, 1855 Fountain Square  
Court, Columbus, Ohio 43244,  
Telephone: (614) 265-1076.

#### FOR FURTHER INFORMATION CONTACT:

George Rieger, Field Branch Chief,  
Appalachian Regional Coordinating  
Center, Telephone: (412) 937-2153.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Ohio Program

On August 16, 1982, the Secretary of the Interior conditionally approved the Ohio program. Background information on the Ohio program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the August 10, 1982, Federal Register (47 FR 34688). Subsequent actions concerning conditions of approval and program amendments can be found at 30 CFR 935.11, 935.15, and 935.16.

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

By letter dated July 23, 1996, (Administrative Record No. OH-2168-00) Ohio submitted proposed amendments to the Ohio program concerning remining. Ohio submitted the proposed amendment at its own initiative. The provisions of the Ohio Administrative Code that Ohio proposes to amend are:

###### 1. OAC 1501:13-1-02 Definitions.

(a) New paragraph (OOO) "Lands eligible for remining" has been added to mean those lands that would otherwise be eligible for expenditures under section 1513.37 of the Revised Code.

(b) New paragraph (JJJJJ) "Unanticipated event or conditions" has been added to mean (as used in Rule 13-5-01 of the Administrative Code) an event or condition related to prior mining activity which arises from a surface coal mining and reclamation operation on lands eligible for remining

and was not contemplated in the applicable permit.

(c) Definitions of "abatement plan", "base line pollution load", "best available technology economically achievable", "pollution abatement area", "pre-existing discharge", and "remining NPDES permit" are relocated here from OAC 1501:13-4-15, and all paragraphs are relettered accordingly.

2. OAC 1501:13-4-08 Hydrologic map and cross-sections.

New paragraph (A)(15) has been added to include any land determined to be eligible for remining.

3. OAC 1501:13-4-10 Uniform color code and map symbols. New paragraph (A)(6) has been added to include any area determined to be eligible for remining shall have its perimeter designated with a dashed black line and the areas therein clearly labeled "Remine".

4. OAC 1501:13-4-12 Requirements for permits for special categories of mining.

(a) New paragraph (L) has been added to include the requirement that any person who submits a permit application to conduct a surface coal mining operation on lands eligible for remining must comply with Revised Code Section 1513.37. The requirements of paragraph (L) shall apply until September 30, 1994, or any later date authorized by federal law. The permit application must include: (1) A description of the proposed lands eligible for remining and a demonstration, to the satisfaction of the Chief, how such lands meet the eligibility requirements specified by Revised Code Section 1513.37; (2) Identification, to the extent not otherwise addressed in the permit application, of any potential environmental and safety problems related to the prior mining activity at the site which could be reasonably expected to occur. This identification shall be based on a due diligence investigation which shall include visual observations at the site, a record of past mining at the site, and environmental sampling tailored to current site conditions; and (3) A description, with regard to potential environmental and safety problems identified in paragraph (2), of the mitigative measures that will be taken to ensure that the applicable reclamation requirements of Revised Code Chapter 1513 and these rules can be met.

5. OAC 1501:13-4-15.

(a) The title of this section is changed from "Authorization to conduct coal mining on previously mined areas" to "Authorization to conduct coal mining on pollution abatement areas".