

develop on other MDHS Model MD-900 helicopters of the same type design, the proposed AD would supersede AD 97-13-09 to increase the life limits for certain parts and correct the P/N for the bellcrank, and, as in AD 97-13-09, require applying S/N's to certain parts and establishing a life limit for the VSCS bellcrank assembly.

The FAA estimates that 27 helicopters would be affected by this proposed AD, that it would take approximately 2.5 work hours per helicopter to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$4,050.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-10056 (62 FR 34163, June 25, 1997), and by adding a new airworthiness directive (AD) to read as follows:

McDonnell Douglas Helicopter Systems:

Docket No. 98-SW-42-AD. Supersedes AD 97-13-09, Amendment 39-10056, Docket No. 96-SW-35-AD.

Applicability: McDonnell Douglas Helicopter Systems (MDHS) MD-900 helicopters, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously. To establish appropriate life limits for various parts, accomplish the following:

(a) On or before attaining the following life limits, remove from service:

(1) The nonrotating swashplate assembly, part number (P/N) 900C2010192-105, -107, -109, or -111, on or before 1,800 hours TIS.

(2) The collective drive link assembly, P/N 900C2010207-101, on or before 3,307 hours TIS.

(3) The self-aligning, spherical/slider main rotor bearing, P/N 900C3010042-103, on or before 2,030 hours TIS.

(4) The vertical stabilizer control system (VSCS) bellcrank assembly, P/N 900FP341712-103, and bellcrank arm, P/N 900F2341712-101, on or before 2,700 hours TIS.

(b) On or before 100 hours TIS after July 10, 1997, or before October 31, 1999, whichever occurs first:

(1) For Model MD-900 helicopters with serial numbers (S/N) 900-00002 through 900-00012, apply the appropriate S/N to the mid-forward truss assembly, P/N 900F2401200-102, and the forward and aft deck-fitting assemblies, P/N 900F2401500-103 and 900F2401600-103.

(2) For Model MD-900 helicopters with S/N 900-00002 through 900-00048, apply S/N to the left and right VSCS bellcrank assemblies, P/N 900F2341712-101 and 900FP341712-103, and the mid-aft truss strut assembly, P/N 900F2401300-103.

(3) Apply the S/N as specified in paragraphs (b)(1) and (b)(2) of this AD adjacent to the existing P/N in accordance with the Accomplishment Instructions of MDHS Service Bulletin No. 900-039, Revision 2, dated March 12, 1997.

(c) This AD revises the Airworthiness Limitations Section of the MD-900

Maintenance Manual by increasing the retirement lives for certain parts.

Note 2: The Airworthiness Limitations Section of the MD-900 Rotorcraft Maintenance Manual, Reissue 1, Revision 2, dated July 24, 1998, pertains to the subject of this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on April 21, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-10619 Filed 4-27-99; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 49

[REG-118620-97]

RIN 1545-AV63

Communications Excise Tax; Prepaid Telephone Cards; 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 under section 4251 containing proposed rules for the application of the communications excise tax to prepaid telephone cards (PTCs).

DATES: The public hearing originally scheduled for Wednesday, May 5, 1999, at 10 a.m., is cancelled.

FOR FURTHER INFORMATION CONTACT: LaNita Van Dyke of the Regulations Unit, Assistant Chief Counsel (Corporate), (202) 622-7190 (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 Thursday, December 17, 1998, (63 FR 69585), announced that a public hearing was scheduled for Wednesday, May 5, 1999, at 10 a.m., in room 2615, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is proposed regulations under section 4251 of the Internal Revenue Code. The public comment period for these proposed regulations expired on Wednesday, March 17, 1999. The outlines of topics to be addressed at the hearing were due on Wednesday, April 14, 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 Wednesday, April 21, 1999, no one has requested to speak. Therefore, the public hearing scheduled for Wednesday, May 5, 1999, is cancelled.

Cynthia Grigsby,

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

[FR Doc. 99-10566 Filed 4-27-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[FRL-6331-9]

Availability of Report to Congress on Fossil Fuel Combustion; Request for Comments and Announcement of Public Hearing

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: The Environmental Protection Agency ("we" or EPA) is today making available the Agency's Report to Congress on Fossil Fuel Combustion that is required by section 8002(n) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6982(n). The Report to Congress contains a detailed study of fossil fuel combustion wastes not previously studied (the "remaining wastes"), including oil, natural gas, and certain coal combustion wastes. Its purpose is to determine whether the remaining fossil fuel combustion wastes should retain their exemption from hazardous waste regulations as provided by section 3001(b)(3)(A)(i) of RCRA and codified at 40 CFR 261.4(b)(4). This exemption is often referred to as the Bevill Exemption. The report presents

the Agency's study methods, findings and tentative recommendations regarding the exemption from hazardous waste regulation for the remaining fossil fuel combustion wastes. A brief summary of the tentative recommendations appears in the **SUPPLEMENTARY INFORMATION** section below.

Information submitted in public comments and at a public hearing will be used by EPA in conjunction with the Report to Congress to make a final determination on the regulatory status of these remaining fossil fuel combustion wastes.

DATES: EPA will accept public comments on the Report to Congress until June 14, 1999. The Agency will hold a public hearing on the Report to Congress on May 21, 1999.

ADDRESSES: Those persons wishing to submit public comments must send an original and two copies of their comments referencing EPA docket number F-1999-FF2P-FFFFF to: RCRA Docket Information Center (5305W), U.S. Environmental Protection Agency Headquarters (EPA,HQ), 401 M Street, SW., Washington, DC, 20460. Hand deliveries of comments should be made to the Arlington, VA address below.

Comments may also be submitted electronically through the Internet to: rcra-docket@epa.gov. Comments in electronic format should also identify the docket number F-1999-FF2P-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Commenters should not submit electronically any confidential business information (CBI). An original and two copies of CBI must be submitted under separate cover to: RCRA CBI Document Control Officer, Office of Solid Waste (5305W), U.S. EPA, 401 M Street, SW, Washington, DC 20460.

Public comments and supporting materials are available for viewing in the RCRA Docket Information Center (RIC), located at Crystal Gateway I Building, First Floor, 1235 Jefferson Davis Highway, Arlington, VA. The RIC is open from 9 a.m. to 4 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling (703) 603-9230. The public may copy a maximum of 100 pages from any regulatory docket at no charge. Additional copies cost \$0.15 per page. The Report to Congress is also available electronically. See the Supplemental Information section below for information on electronic access.

Requests to speak at the public hearing should be submitted in writing to the Public Hearing Officer—Fossil Fuel Combustion, Office of Solid Waste, Industrial & Extractive Wastes Branch (5306W), U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460. The May 21, 1999 public hearing will be held at the Environmental Protection Agency Auditorium, Waterside Mall, 401 M Street, SW, Washington, DC. The hearing will begin at 9:30 a.m. with registration beginning at 9:00 a.m. The hearing will end at 3 p.m. but may be concluded earlier. Oral and written statements may be submitted at the public hearing. Persons who wish to make oral presentations must restrict them to 15 minutes maximum, and are requested to provide written comments for inclusion in the record.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline at (800) 424-9346 or TDD (hearing impaired) (800) 553-7672. In the Washington, DC metropolitan area, call (703) 412-9810 or TDD (703) 412-3323. For more detailed information on specific aspects of today's action, contact Dennis Ruddy, U.S. Environmental Protection Agency (5306W), 401 M Street, SW., Washington, DC 20460, at (703) 308-8430, or e-mail: ruddy.dennis@epa.gov.

SUPPLEMENTARY INFORMATION:

Customer Service

In developing the Report to Congress, we tried to address the concerns of all our stakeholders. Your comments will help us improve this regulatory action. We invite you to provide different views on options we propose, new approaches we have not considered, new data, how this regulatory action may affect you, or other relevant information. We welcome your views on all aspects of this action, but we request comments in particular on the items discussed in the Report to Congress. Your comments will be most effective if you follow the suggestions below:

- Explain your views as clearly as possible and why you feel that way.
- Provide solid technical and cost data to support your views.
- If you estimate potential costs, explain how you arrived at the estimate.
- Tell us which parts you support, as well as those you disagree with.
- Provide specific examples to illustrate your concerns.
- Offer specific alternatives.
- Refer your comments to specific sections of the report.
- Make sure to submit your comments by the deadline in this notice.