arrangements with the Office of Press Relations for the issuance of a visitor's pass valid for one day.

7. Section 9b.6 is amended by adding paragraph (e) and revising the introductory text and paragraphs (a) and (c) to read as follows:

§ 9b.6 [Amended]

In consultation with the Bureau of Diplomatic Security and the Office of the Legal Adviser, the Director of the Office of Press Relations of the Department of State, may deny, revoke, or not renew the Department of State press building pass of any media correspondent or technician who:

(a) Does not meet the qualifications stated in § 9b.2(a)(1), (a)(2) and (a)(3) or 9b.3(a)(1), (2), (3) and (b). (Upon denial, revocation, or non-renewal the correspondent or technician may not re-apply for a period of one year unless there are material changes in meeting the qualifications.) Or,

* * * * *

(c) Engages or engaged in conduct which there are reasonable grounds to believe might violate Federal or State law or Department of State regulations.

* * * * *

(e) Fails to claim an approved authorization form for a State Department press building pass after notification by the Office of Press Relations following a period of three (3) months.

8. Section 9b.7 is amended by revising paragraphs (a), (e), (f)(1), (f)(3), and (g) to read as follows:

§ 9b.7 [Amended]

(a) If the Director of the Office of Press Relations, Department of State, anticipates, after consultation with the Office of the Legal Adviser, that in applying the standard set forth in § 9b.6 a Department of State press building pass might be denied, revoked or not renewed, the media correspondent or technician will be notified in writing by the Director of the basis for the proposed denial in as much detail as the security of any confidential source of information will permit. This notification will be sent by registered mail.

* * * * *

(e) At the time of the filing of the media correspondent's or technician's written response to the notification of the proposed denial, revocation or non-renewal, the correspondent or technician may request, and will be granted, the opportunity to make a personal appearance before the Director of the Office of Press Relations, Department of State, for the purpose of personally supporting his/her eligibility for a press pass and to rebut or explain the factual basis for the proposed denial. The Director shall exercise, in consultation with the Bureau of Diplomatic Security and the Office of the Legal Adviser, final review authority in the matter. The correspondent or technician may be represented by counsel during this appearance.

(f)(1) On the basis of the correspondent's or technician's written and personal response and the factual basis for the proposed denial, revocation or non-renewal, the Director of the Office of Press Relations, Department of State, will consult with the Bureau of Diplomatic Security and the Office of the Legal Adviser to determine whether or not further inquiry or investigation concerning the issues raised is necessary.

* * * * *

(3) If a decision is made that such further inquiry is necessary, the Director of the Office of Press Relations of the Department of State, the Bureau of Diplomatic Security and the Office of the Legal Adviser will conduct such further inquiry as is deemed appropriate. At the Director's discretion the inquiry may consist of:

(i) The securing of documentary evidence:

(ii) Personal interviews:

(iii) An informal hearing:

(iv) Any combination of paragraphs (f)(3)(i) through (f)(3)(iii) of this section.

(g) On the basis of the correspondent's or technician's written and personal response, the factual basis for the proposed denial and the additional inquiry provided for if such inquiry is conducted, the Director of the Office of Press Relations of the Department of State will consult with the Bureau of Diplomatic Security and the Office of the Legal Adviser and expeditiously reach a final decision in accordance with the standard set forth in § 9b.6. If a final adverse decision is reached, the correspondent or technician will be notified of this final decision in writing. This notification will set forth as precisely as possible, and to the extent that security considerations permit, the factual basis for the denial in relation to the standard set forth in § 9b.6. This notification will be sent by registered mail and will be signed by the Director of the Office of Press Relations of the Department of State.

9. Section 9b.8 is revised to read as follows:

§ 9b.8 Term and renewal of Department of State press building passes.

Department of State press building passes are valid for either three (or four) years. Department of State press building pass holders must, nevertheless, submit a letter annually from their employing media organizations attesting that they continue to cover the Department of State for that organization on a regular and substantial basis. If the correspondent fails to supply such a letter by a previously announced date, his/her press building pass will be subject to revocation as set out in § 9b.7.

Dated: April 20, 1988.

Ronald I. Spiers,

Under Secretary of State for Management.

[FR Doc. 88-14140 Filed 6-22-88; 8:45 am]

BILLING CODE 4710-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[INTL-962-86]

Income Taxes; Definition of Functional Currency; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: This document contains a correction to a notice of proposed rulemaking by cross-reference to temporary regulations that were published in the **Federal Register** for Friday, June 3, 1988 (53 FR 20337). The rules relate to the definition of a taxpayer's functional currency.

FOR FURTHER INFORMATION CONTACT: David Rosenberg of the Office of Associate Chief Counsel (International), within the Office of Chief Counsel, 202-634-5406 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed regulations by cross-reference to temporary regulations (T.D. 8208) that is the subject of this correction relates to income tax regulations under section 985 of the Internal Revenue Code of 1986. Section 985 introduces a new statutory concept that requires all Federal income tax determinations to be made in a taxpayer's functional currency.

Need for Corrections

As published, the notice of proposed rulemaking by cross-reference to temporary regulations contains a typographical error that might cause

confusion to taxpayers and practitioners.

Correction of Publication

Accordingly, the publication of the notice of proposed rulemaking by cross-reference to temporary regulations, which was the subject of FR Doc. 88–12563, is corrected as follows:

Paragraph 1. On page 20338, column 1, the next to the last line under the heading "Proposal of Regulations", the language "section 989 of the Internal Revenue" is removed and the language "section 985 of the Internal Revenue" is added in its place.

Dale D. Goode,

Chief, Technical Section, Legislation and Regulations Division.

[FR Doc. 88–14193 Filed 6–22–88; 8:45 am]

BILLING CODE 4830-01-M

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26 CFR Parts 1, 301, and 602

[INTL–061–86]

Foreign Tax Credit; Notification and Adjustment Due to Foreign Tax Redeterminations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: This document provides proposed Income Tax Regulations and Regulations on Procedure and Administration relating to a taxpayer's obligation under section 905 (c) of the Internal Revenue Code of 1986 to file notification of a foreign tax redetermination, to make adjustments to a taxpayer's pools of foreign taxes and earnings and profits, and the imposition of the civil penalty for failure to file such notice or report such adjustments. In the Rules and Regulations portion of this issue of the **Federal Register**, the Internal Revenue Service is issuing temporary regulations relating to these matters. The text of those temporary regulations also serves as the comment document for this proposed rulemaking.

DATES: Written comments and requests for a public hearing must be delivered or mailed before August 22, 1988. These rules would generally apply to taxable years beginning after December 31, 1986.

ADDRESS: Send comments and requests for a public hearing to Commissioner of Internal Revenue, Attention: CC:LR:T (INTL–061–86), Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Eli J. Dicker, of the Office of Associate Chief Counsel (International), within the Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224 (Attention: CC:LR:T (INTL–061–86)) (202–566–3490, not a toll-free call).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collection of information contained in this notice of proposed rulemaking has been submitted to the Office of Management and Budget for review in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3504 (h)). Comments on the collection of information should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Desk Officer for Internal Revenue Service, with copies to the Internal Revenue Service, Washington, DC 20224, Attention: IRS Reports Clearance Officer TR:FP.

The collection of information in this regulation is in §§ 1.905–3T, 1.905–4T, and 1.905–5T. This information is required by the Internal Revenue Service to enable it to effectively administer the provisions of section 905 (c). The information is needed by the Service to verify pooling adjustments to account for the effect of foreign tax redeterminations and to recompute a United States taxpayer's United States tax liability when a foreign tax redetermination requires such a recomputation. The likely respondents are individuals, households, businesses, and other for-profit institutions. Estimated total annual reporting burden: 10,000 hours. Estimated average annual burden per respondent: one hour. Estimated number of respondents: 10,000. Estimated annual frequency of responses: as necessary to comply with the provisions of section 905 (c).

Background

The temporary regulations published in the Rules and Regulations portion of this issue of the **Federal Register** add new §§ 1.905–3T, 1.905–4T, and 1.905–5T to 26 CFR Part 1. They also add § 301.6689–1T to 26 CFR Part 301. The final regulations that are proposed to be based on the temporary regulations would amend 26 CFR Parts 1, 301, and 602. For the text of the temporary regulations, see for DOC. 88–14073 [T.D. 8210], published in the Rules and Regulations portion of this issue of the **Federal Register.**

Special Analyses

These proposed rules are not major rules as defined in Executive Order 12291. Therefore, a Regulatory Impact Analysis is not required. Although this document is a notice of proposed rulemaking that solicits public comments, the notice and public procedure requirements of 5 U.S.C. § 553 do not apply because the regulations proposed herein are interpretative. Therefore, an initial Regulatory Flexibility Analysis is not required by the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

Comments and Requests for a Public Hearing

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably eight copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who has submitted written comments. If a public hearing is held, notice of the time and place will be published in the **Federal Register.**

Drafting Information

The principal author of these regulations is Eli J. Dicker, of the Office of Associate Chief Counsel (International), within the Office of Chief Counsel, Internal Revenue Service. Other personnel from offices of the Internal Revenue Service and Treasury Department participated in developing the regulations both on matters of substance and style.

List of Subjects

26 CFR 1.861–1 through 1.997–1

Income taxes, United States investments aboard, Foreign currency, Foreign tax credit.

26 CFR 301.6654–1 through 301.6696–1

Income taxes, Administration and procedure, Penalties.

26 CFR Part 602

Reporting and recordkeeping requirements.

Proposal of regulations

The temporary regulations, FR Doc. 88–14073 [T.D. 8210], published in the Rules and Regulations portion of this issue of the **Federal Register**, are hereby also proposed as final regulations under sections 905(c)(and 6689.

Lawrence B. Gibbs,

Commissioner of Internal Revenue.

[FR Doc. 88–14074 Filed 6–22–88; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 906

Public Comment Period and Opportunity for Public Hearing on Proposed Modifications to the Colorado Permanent Regulatory Program

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

ACTION: Notice of proposed rulemaking.

SUMMARY: OSMRE is announcing procedures for the public comment period and for a public hearing on the substantive adequacy of a proposed amendment concerning citizen suits submitted by the State of Colorado. If approved, this amendment would resolve condition ("ee") which the Secretary of the Interior placed on the approval of the Colorado Permanent Regulatory Program (hereinafter referred to as the Colorado program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

This notice sets forth the times and locations that the Colorado program and the proposed amendment will be available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and the procedures that will be followed regarding the public hearings.

DATES: Written comments not received on or before 4:00 p.m., m.d.t. July 25, 1988, will not necessarily be considered..

If requested, a public hearing on the proposed modifications will be held on July 18, 1988, beginning at 10:00 a.m., at the location shown under **"ADDRESSES."** Requests to present oral testimony at the hearing must be received on or before 4:00 p.m. July 8, 1988.

ADDRESSES: Written comments should be mailed or hand-delivered to: Mr. Robert H. Hagen, Field Office Director, Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 625 Silver Avenue SW., Suite 310, Albuquerque, NM 87102

If a public hearing is requested, it will be held at OSMRE Western field Operations, Brooks Towers, 1020 Fifteenth Street, Denver, Colorado 80202.

Copies of the Colorado program, the proposed amendment to the program, a listing of any scheduled public meetings, and all written comments received in response to this notice will be available for review at the OSMRE offices and the office of the State Regulatory Authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays. Each requester may receive, free of charge, one copy of the proposed amendment by contacting the OSMRE Albuquerque Field Office listed under **"ADDRESSES."** The aforementioned documents are available for review at the following locations:

Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 625 Silver Avenue SW., Suite 310, Albuquerque, NM 87102, Telephone: (505) 766–1486

Office of Surface Mining Reclamation and Enforcement, Room 5131, 1100 L Street NW., Washington, DC 20240, Telephone: (202) 343–5492

Colorado Mined Land Reclamation Division, 423 Centennial Building, 1313 Sherman Street, Denver, Colorado 80203, Telephone: (303) 866–3567.

FOR FURTHER INFORMATION CONTACT: Mr. Robert H. Hagen, Field Office Director, Office of Surface Mining Reclamation and Enforcement, Albuquerque Field Office, 625 Silver Avenue SW., Suite 310, Albuquerque, NM 87102, Telephone: (505) 766–1486.

SUPPLEMENTARY INFORMATION:

I. Background

The Secretary of the Interior conditionally approved the Colorado program under SMCRA for the regulation of surface coal mining operations on December 15, 1980. Information pertinent to the general background and revisions to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Colorado program, can be found in the December 15, 1980, **Federal Register** (45 FR 82173). Conditions of approval of the program and subsequent actions concerning the program amendments are identified at 30 CFR 906.11 and 906.15.

II. Submission of Amendment

On July 22, 1987, Colorado submitted, for OSMRE's review and approval, a statute to the Colorado program which addresses the Secretary's condition to the Colorado program listed at 30 CFR 906.11(ee) (Administrative Record No. CO–354).

The condition at 30 CFR 906.11(ee) requires Colorado to either amend its program or submit a statute to comply with the requirement of section 520(b)(2) of SMCRA. Colorado has revised its statute at CRS 34–33 135(2)(b) to address this program condition.

Under the revised statute, citizens can immediately, after notifying the State in writing, commence a civil action against the State in those situations where the violation or order that the citizen complains of would "immediately affect" (not "irreparably damage" as the statute previously stated) a legal interest of the plaintiff.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17, OSMRE is seeking comment on whether the proposed amendment satisfies the requirements of 30 CFR 732.15 for the approval of State program amendments. If OSMRE finds the amendment in accordance with SMCRA and no less effective than the Federal regulations, it will approve the amendment to become part of the Colorado program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **"DATES"** or at locations other than the OSMRE Albuquerque Field Office will not necessarily be considered and included in the Administrative Record for this proposed rulemaking.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under **"FOR FURTHER INFORMATION CONTACT"** by the close of business July 8, 1988. If no one requests to comment, a public hearing will not be held.

If only one person requests to comment, a public meeting, rather than a public hearing, may be held and the result of the meeting included in the Administrative Record.

Filing of a written statement at the time the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSMRE officials to prepare appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those persons scheduled. The hearing will end after all persons who wish to comment have been heard.

Public Meeting

Persons wishing to meet with OSMRE representatives to discuss the proposed amendments may request a meeting at the OSMRE Denver, Colorado office listed in **"ADDRESSES"** by contacting the person listed under **"FOR FURTHER INFORMATION CONTACT."**

All such meetings are open to the public and, if possible, notices of meetings will be posted in advance in the Administrative Record. A written summary of each public meeting will be made a part of the Administrative Record.

List of Subjects in 30 CFR Part 906

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Date: June 14, 1988.

Raymond L. Lowrie,

Assistant Director, Western Field Operations.

[FR Doc. 88-14197 Filed 6-22-88; 8:45 am]

BILLING CODE 4310-05-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[SW-FRL-3403-6]

Hazardous Waste Management System; Identification and Listing Proposed Exclusions

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule and request for comment.

SUMMARY: The Environmental Protection Agency (EPA or Agency) today is proposing to grant petitions submitted by Bethlehem Steel Corporation, Steelton, Pennsylvania, and Johnstown, Pennsylvania, to exclude certain solid wastes generated at their facilities from the lists of hazardous wastes contained in 40 CFR 261.31 and 261.32. These actions respond to delisting petitions submitted under 40 CFR 260.20, which allows any person to petition the Administrator to modify or revoke any provision of Parts 260 through 268, 124, 270, and 271 of Title 40 of the Code of Federal Regulations, and under 40 CFR 260.22, which specifically provides generators the opportunity to petition the Administrator to exclude a waste on a "generator-specific" basis from the hazardous waste lists. Today's proposed decisions are based on an evaluation of waste-specific information provided by the petitioners.

The Agency is also proposing the use of a fate and transport model and its application in evaluating the waste-specific information provided by the petitioners. This model has been used in evaluating the petitions to predict the concentration of hazardous constituents released from the petitioned wastes, once they are disposed.

DATES: EPA is requesting public comments on today's proposed decisions and on the applicability of the fate and transport model used to evaluate these petitions. Comments will be accepted until August 8, 1988. Comments postmarked after the close of the comment period will be stamped "late."

Any person may request a hearing on these proposed decisions and/or the model used in the petition evaluations by filing a request with Bruce Weddle, whose address appears below, by July 8, 1988. The request must contain the information prescribed in 40 CFR 260.20(d).

ADDRESSES: Send three copies of your comments to EPA. Two copies should be sent to the Docket Clerk, Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. A third copy should be sent to Jim Kent, Variances Section, Assistance Branch, PSPD/OSW (WH-563), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. Identify your comments at the top with this regulatory docket number: "F-88-BSEP-FFFFF."

Requests for a hearing should be addressed to Bruce Weddle, Director, Permits and State Programs Division, Office of Solid Waste (WH-563), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

The RCRA regulatory docket for this proposed rule is located at the U.S. Environmental Protection Agency, 401 M Street SW., (sub-basement), Washington, DC 20460, and is available for viewing from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding Federal holidays. Call (202) 475-9327 for appointments. The public may copy material from any regulatory docket at a cost of $0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline, toll free at (800) 424-9346, or at (202) 382-3000. For technical information concerning this notice, contact Linda Cessar, Office of Solid Waste (WH-563), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 475-9828.

SUPPLEMENTARY INFORMATION:

I. Background

A. Authority

On January 16, 1981, as part of its final and interim final regulations implementing section 3001 of RCRA, EPA published an amended list of hazardous wastes from non-specific and specific sources. This list has been amended several times, and is published in 40 CFR 261.31 and 261.32. These wastes are listed as hazardous because they typically and frequently exhibit one or more of the characteristics of hazardous wastes identified in Subpart C of Part 261 (*i.e.*, ignitability, corrosivity, reactivity, and extraction procedure (EP) toxicity) or meet the criteria for listing contained in 40 CFR 261.11 (a)(2) or (a)(3).

Individual waste streams may vary, however, depending on raw materials, industrial processes, and other factors. Thus, while a waste that is described in these regulations generally is hazardous, a specific waste from an individual facility meeting the listing description may not be. For this reason, 40 CFR 260.20 and 260.22 provide an exclusion procedure, allowing persons to demonstrate that a specific waste from a particular generating facility should not be regulated as a hazardous waste.

To have their wastes excluded, petitioners must show that wastes generated at their facilities do not meet any of the criteria for which the wastes were listed. See 40 CFR 260.22(a) and the background documents for the listed wastes. In addition, the Hazardous and Solid Waste Amendments (HSWA) of 1984 require the Agency to consider any factors (including additional constituents) other than those for which the waste was listed, if there is a reasonable basis to believe that such additional factors could cause the waste to be hazardous. Accordingly, a petitioner also must demonstrate that the waste does not exhibit any of the hazardous characteristics (*i.e.*, ignitability, reactivity, corrosivity, and EP toxicity), and must present sufficient information for the Agency to determine whether the waste contains any other toxicants at hazardous levels. See 40 CFR 260.22(a), 42 U.S.C. 6921(f), and the background documents for the listed wastes. Although wastes which are "delisted" (*i.e.*, excluded) have been evaluated to determine whether or not they exhibit any of the characteristics of hazardous waste, generators remain obligated to determine whether or not their waste remains non-hazardous based on the hazardous waste characteristics.