

evidence that the current procedures demonstrate a safe method to operate the airplane.

The FAA concurs that the notice of proposed rulemaking for Cessna Model 500, 501, 550, 551, and 560 series airplanes should be withdrawn based on the following information. The manufacturer performed a complete evaluation of the stall and handling characteristics with simulated ice shapes on the Model 550 (Bravo) series airplanes. Stall speeds and warning margins were evaluated with a 1/2-inch glaze ice shape and with a 23-minute system failure configuration. This 1/2-inch ice shape simulated the ice shape prior to deicing boot activation. Maneuver margin testing consisted of left and right 40-degree bank turns. Stall characteristics were performed with a 1/2-inch rime ice shape configuration. Stall characteristic testing consisted of wings level and 30-degree bank turns. At the conclusion of the testing it was determined that the airplane had acceptable stall warning margin with ice shapes present. The manufacturer maintains that the Model 500/501, Model 550/551, and Model 550 (Bravo) series airplanes all use a common wing airfoil with some minor differences in span and wing loading. These aircraft also use a common tail configuration (airfoil, span, and leading edge sweep).

The Model 560 (Ultra) series airplanes underwent an extensive ice shape stall investigation. This investigation consisted of stall testing of the baseline airplane and the airplane with the most adverse simulated inter-cycle ice shapes. The ice shapes consisted of 1/2-inch shapes on the surfaces protected by boots and 3-inch shapes on unprotected flight surfaces. The stall speeds determined by this testing were incorporated into the Safeflight Angle of Attack computer to increase the stall warning margin during flight in icing conditions. The Model 560 series airplanes angle of attack computer was also updated to incorporate a normal mode and an ice mode stall warning system. [The changes to the angle of attack computer on Model 560 and 560 (Ultra) series airplanes were mandated by an airworthiness directive, Rules Docket No. 98-NM-312-AD.] Additionally, the FAA reviewed the Type Inspection Report (TIR) for Model 550 (Bravo) series airplane testing and found that ice shapes were placed on both the protected and unprotected surfaces.

Therefore, the FAA concurs that the proposal should be withdrawn. The FAA notes that the extensive testing of Model 550 series airplanes and the similarity of Model 500 series airplanes

demonstrated that these airplanes can safely operate if the procedures for operation of the deicing boot as specified in the applicable AFM are followed. The FAA also notes that testing of Model 560 series airplanes revealed problems in the stall warning margin for flight in icing conditions that were addressed by previously issued airworthiness directives.

FAA's Conclusions

Upon further consideration, the FAA has determined that, in light of the above information, it is unnecessary to require the proposed AFM revision. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this notice of proposed rulemaking constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 99-NM-136-AD, published in the **Federal Register** on July 16, 1999 (64 FR 38374), is withdrawn.

Issued in Renton, Washington, on November 10, 1999.

John J. Hickey,

*Manager, Transport Airplane Directorate,
Aircraft Certification Service.*

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RAILROAD RETIREMENT BOARD

20 CFR Part 220

RIN 3220-AB42

Determining Disability

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: The Railroad Retirement Board (Board) hereby proposes to amend its disability regulations to discontinue the current policy of conducting continuing disability

reviews (CDR's) for medical recovery of disability annuitants in medical improvement not expected (MINE) cases. The Board has found that these reviews have not been cost effective and impose an unnecessary burden on the annuitant.

DATES: Comments should be submitted on or before January 18, 2000.

ADDRESSES: Any comments should be submitted to the Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Senior Attorney, (312) 751-4513, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: The Board conducts continuing disability reviews (CDRs) to determine whether or not a disability annuitant continues to meet the disability requirements contained in the Railroad Retirement Act and, in some cases, the Social Security Act. Payment of cash benefits based on disability ends if the medical or other evidence shows that the annuitant is no longer disabled under the standards set out in the Railroad Retirement Act or, for some benefits, the Social Security Act. Section 220.186 of the regulations of the Board provides when and how often the Board will conduct a CDR. This rulemaking would amend § 220.186(d) to discontinue the Board's current policy of conducting a CDR in cases where medical improvement is not expected (MINE). The current regulation requires a review no less frequently than once every 7 years but no more frequently than once every 5 years in MINE cases. The Board's CDR of MINE cases has not proved cost effective. For fiscal years 1995 through 1997 the Board conducted 552 MINE exams; however, in only 1 case did the evidence merit termination of the annuity. Such results, in the Board's view, do not justify continuation of this program. Consequently, the Board proposes to cease routine continuing disability review in these cases. The cessation will be of routine reviews only. These cases will still be reviewed for continuing eligibility: if the beneficiary returns to work and successfully completes a trial work period; if substantial earnings are posted to the beneficiary's earnings record; or if information is received either from the annuitant or a reliable source that the annuitant has recovered or returned to work, or that a review is otherwise warranted.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action for purposes of Executive Order 12866.

Therefore, no regulatory analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 220.186

Disability benefits, Railroad employees; Railroad retirement.

For the reasons set out in the preamble, the Railroad Retirement Board proposes to amend part 220 of title 20, chapter II, of the Code of Federal Regulations as follows:

PART 220—DETERMINING DISABILITY

1. The authority citation for part 220 continues to read as follows:

Authority: 45 U.S.C. 231a; 45 U.S.C. 231f.

§ 220.186 When and how often the Board will conduct a continuing disability review.

2. In § 220.186, paragraph (b)(2), remove the phrase “(medical improvement possible or medical improvement not expected)”, and in paragraph (d), remove the fourth sentence which reads: “If the annuitant’s disability is considered permanent, the Board will review the annuitant’s continuing eligibility for benefits no less frequently than once every 7 years but no more frequently than once every 5 years.”, and add in its place “If no medical improvement is expected in the annuitant’s impairment(s), the Board will not routinely review the annuitant’s continuing eligibility.”

Dated: November 10, 1999.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 99-30161 Filed 11-17-99; 8:45 am]

BILLING CODE 7905-01-P

DEPARTMENT OF LABOR

Employment Standards Administration

20 CFR Parts 718, 722, 725, 726 and 727

RIN 1215-AA99

Regulations Implementing the Federal Coal Mine Health and Safety Act of 1996, as Amended; Extension of Comment Period

AGENCY: Employment Standards Administration, Labor.

ACTION: Proposed rule; extension of comment period.

SUMMARY: This document extends the period for filing comments regarding the proposed rule to amend and revise the regulations implementing the Black Lung Benefits Act. This action is taken

to permit additional comment from interested persons.

DATES: Comments must be received on or before January 6, 2000.

ADDRESSES: Send written comments on the proposed rule to James L. DeMarce, Director, Division of Coal Mine Workers’ Compensation, Room C-3520, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: James L. DeMarce, (202) 219-6692.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of the October 8, 1999, (64 FR 54965-55072), the Department of Labor published a proposed rule intended to amend and revise the regulations implementing the Black Lung Benefits Act, subchapter IV of the Federal Coal Mine Health and Safety Act of 1969, as amended. Interested persons were requested to submit comments on or before December 7, 1999.

The Department has received requests for an extension of the comment period. In order to afford interested parties an appropriate period in which to submit comments, the Department believes that it is desirable to extend the comment period for 30 days. Therefore, the comment period for the proposed rule, amending and revising 20 CFR parts 718, 722, 725, 726 and 727, is extended for all interested parties through January 6, 2000. On November 5, 1999, the Department completed its mailing of the proposal to coal mine operators. This extension will allow each potentially affected coal mine operator an appropriate period to consider and respond to the proposed rule.

The Department has also received requests that it hold additional hearings on the black lung regulations. In 1997, following the first proposed revision of the regulations, in addition to extending the comment period for 150 days, the Department held hearings in Washington, DC, and Charleston, WV. The Department does not believe that additional hearings are necessary.

Signed at Washington, DC, this 15th day of November, 1999.

Bernard E. Anderson,

Assistant Secretary for Employment Standards.

[FR Doc. 99-30174 Filed 11-17-99; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 26

[REG-103841-99]

RIN 1545-AX08

GST Issues

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking and notice of public hearing.

SUMMARY: This document contains proposed regulations relating to the application of the effective date rules of the generation-skipping transfer (GST) tax imposed under chapter 13 of the Internal Revenue Code. The proposed regulations provide guidance with respect to the type of trust modifications that will not affect the exempt status of a trust. In addition, the proposed regulations clarify the application of the effective date rules in the case of property transferred pursuant to the exercise of a general power of appointment. The proposed regulations are necessary to provide guidance to taxpayers so that they may properly determine if chapter 13 of the Code is applicable to a particular trust.

DATES: Written and electronic comments must be received by February 16, 2000. Outlines of topics to be discussed at the public hearing scheduled for March 15, 2000 at 10:00, must be received by February 23, 2000.

ADDRESSES: Send submissions to: CC:DOM:CORP:R (REG-103841-99), room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Submissions may also be hand delivered Monday through Friday between the hours of 8 a.m. and 5 p.m. to: CC:DOM:CORP:R (REG-103841-99), Courier’s Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. Alternatively, taxpayers may submit comments electronically via the internet by selecting the “Tax Regs” option on the IRS Home Page, or by submitting comments directly to the IRS internet site at http://www.irs.gov/tax_reg/reglist.html. The public hearing will be held in room 2615, Internal Revenue Service Building, 1111 Constitution Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, James F. Hogan, (202) 622-3090; concerning submissions of comments, the hearing, and/or to be placed on the building access list to attend the