

must be revised by the licensee to meet the requirements of § 50.55a(g)(4)(iii) when used in lieu of compliance with the requirements of §§ 50.55a(g)(4)(i) or (g)(4)(ii).

(ii) If a revised inservice inspection program for a facility conflicts with the technical specification for the facility, the licensee shall apply to the Commission for amendment of the Technical Specifications to conform the technical specification to the revised program. The licensee shall submit this application, as specified in § 50.4, at least 6 months before the start of the period during which the provisions become applicable.

(iii) If the licensee has determined that conformance with certain Code requirements is impractical for its facility, the licensee shall notify the Commission and submit, as specified in § 50.4, information to support the determinations within one year from the date on which the examination was determined to be impractical.

(iv) Where an examination requirement by the Code edition or addenda is determined to be impractical by the licensee and is not included in the revised inservice inspection program as permitted by § 50.55a(g)(4)(iii), the basis for this determination must be submitted to the Commission before the start of the revised inservice inspection program.

* * * * *

Dated at Rockville, MD this 15th day of April 1999.

For the Nuclear Regulatory Commission.
William D. Travers,

Executive Director for Operations.

[FR Doc. 99-10491 Filed 4-26-99; 8:45 am]

BILLING CODE 7590-01-P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 1 and 30

Access to Automated Boards of Trade

AGENCY: Commodity Futures Trading Commission.

ACTION: Extension of comment period.

SUMMARY: The Commodity Futures Trading Commission ("Commission") published proposed rules concerning access to automated boards of trade on March 24, 1999 (64 FR 14159).

Comments on the proposed rules were originally due on April 23, 1999. By letter dated April 11, 1999, David P. Brennan, Chairman of the Chicago Board of Trade, M. Scott Gordon, Chairman of the Chicago Mercantile Exchange, Daniel Rappaport, Chairman

of the New York Mercantile Exchange, and John M. Damgard, President of the Futures Industry Association, jointly have requested (collectively the "Brennan Request") that the Commission extend the comment period on the proposed rules concerning Access to Automated Boards of Trade ("proposed rules") for an additional seven days. Each of these organizations had earlier requested sixty-day extensions of the comment period, but the Brennan Request withdrew these requests. In addition, the Commission has received three written requests for an extension of the comment period on the proposed rules for an additional sixty days.¹ The commenters generally cited the complexity of the proposed rules in support of their requests for additional time to finalize their views. In light of the fact that the Commission issued a concept release on this matter and provided a comment period of seventy-five days thereon, as well as the fact that the Commission held a Roundtable discussion on April 20, 1999, on the proposed rules, the Commission believes that a sixty-day extension of the comment period is unwarranted. However, the Commission has determined to grant a seven-day extension of the deadline for comments on the proposed rules, so that comments must now be submitted by April 30, 1999.

DATES: Comments must be received on or before April 30, 1999.

ADDRESSES: Any person interested in submitting comments on the proposed rules should submit them by the specified date to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418-5521 or by electronic mail to secretary@cftc.gov. Reference should be made to "Access to Automated Boards of Trade."

FOR FURTHER INFORMATION CONTACT: Please contact David M. Battan, Chief Counsel, Lawrence B. Patent, Associate Chief Counsel, or Charles T. O'Brien, Attorney Advisor, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 21st Street, N.W., Washington, D.C. 20581. Telephone number (202) 418-5450.

¹ Written requests for an extension of the comment period were received from the Singapore International Monetary Exchange Limited, ABN-AMRO Incorporated and the Committee on Derivatives and Futures Law of the New York State Bar Association.

Issued in Washington, D.C., on this 22nd day of April, 1999, by the Commodity Futures Trading Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 99-10580 Filed 4-26-99; 8:45 am]

BILLING CODE 6351-01-M

NATIONAL INDIAN GAMING COMMISSION

25 CFR Chapter III

Standards for Constructing and Maintaining Gaming Facilities Operated on Indian Lands

AGENCY: National Indian Gaming Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: This notice announces the initiation of the rulemaking process and requests information relevant to implementing regulations governing standards for constructing and maintaining gaming facilities operated on Indian lands in a manner which protects the environment and the public health and safety.

DATES: Comments in response to this advance notice must be submitted by June 28, 1999.

ADDRESSES: Commenters may submit their comments by mail, facsimile, or delivery to: Environment and Public Health and Safety Rule Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street N.W., Washington, DC 20005. Fax number : 202-632-7066 (not a toll-free number). Public comments may be delivered or inspected from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Todd J. Araujo at 202-632-7003, or by facsimile at 202-632-7066 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

1. Introduction

The Indian Gaming Regulatory Act (IGRA or the Act), 25 U.S.C. 2701 *et seq.*, was signed into law on October 17, 1988. The Act established the National Indian Gaming Commission (the Commission). The IGRA required that an approved tribal gaming ordinance contain a provision requiring each tribal gaming facility to be constructed and maintained in a manner which adequately protects the environment and the public health and safety. 25 U.S.C. § 2710(2)(E). The Commission has determined that standards are

needed to ensure adequate compliance with this statutory requirement.

The IGRA expressly authorizes the Commission to "promulgate such regulations and guidelines as it deems appropriate to implement the provisions of this [Act]." 25 U.S.C. § 2706(b)(10).

2. Advance Notice of Proposed Rulemaking

After consideration of this issue, the NIGC has determined that the appropriate course of action is to publish an Advance Notice of Proposed Rulemaking to collect further information.

Before the NIGC proceeds in this area, it intends to have the benefit of a full airing of the issues through the public comment process.

3. Request for Comments

Public comment is requested to assist the NIGC in the drafting of regulations which ensure that Indian gaming facilities are constructed and maintained in a manner which protects the environment and the public health and safety. Comment is requested on the following issues:

(a) Is it necessary for the Commission to promulgate regulations which ensure that tribal gaming facilities are constructed and maintained in a manner which protect the environment and the public health and safety? What alternative steps may exist to accomplish this objective?

(b) What other steps are currently being taken to ensure that tribal gaming facilities are constructed and maintained in a manner that adequately protects the environment and public health and safety? What is the best method of incorporating these steps into a regulatory structure implemented by the NIGC?

(c) What are the major threats to the environment and the public health and safety posed by the operation of gaming facilities on Indian lands?

(d) In promulgating regulations to ensure that tribal gaming facilities are maintained in a manner which protects the environment and the public health and safety, is it necessary to differentiate between large, mid-size and small gaming facilities?

(e) If yes, how should the Commission determine what are large, mid-size and small operations?

(f) What type of standards should apply to all gaming facilities regardless of size?

(g) How long should the Commission allow for the tribes to comply with the proposed regulations?

The Commission solicits any additional suggestions and/or

interpretations regarding the issues raised in this Advance Notice of Proposed Rulemaking.

4. Public Participation

Interested parties are invited to submit comments on any or all of these and other pertinent issues related to issuing environmental, and public health and safety regulations by June 28, 1999, in triplicate to Environment, and Public Health and Safety Rule Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street N.W., Washington, D.C. 20005. Fax number: 202-632-7066 (not a toll-free number). All written comments submitted in response to this notice will be available for inspection and copying in the NIGC office from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday. All timely written submissions will be considered in determining the nature of any proposal.

Authority and Signature

This Advance Notice of Proposed Rulemaking was prepared under the direction of Barry W. Brandon, General Counsel, National Indian Gaming Commission, 1441 L St. N.W., Suite 9100, Washington, D.C. 20005.

Signed at Washington, D.C. this 29th day of March, 1999.

Montie R. Deer,

Chairman, National Indian Gaming Commission.

[FR Doc. 99-10450 Filed 4-26-99; 8:45 am]

BILLING CODE 7565-01-P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4007

RIN 1212-AA82

Payment of Premiums

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Proposed rule.

SUMMARY: The PBGC is proposing to amend its regulation on Payment of Premiums to encourage self-correction of premium underpayments. The amendments make it easier to qualify for "safe-harbor" relief from late payment penalty charges and codify the PBGC's current premium penalty policy (under which the penalty charge is lowered from 5% per month to 1% per month if a premium payor corrects an underpayment before PBGC notification).

DATES: Comments must be received on or before June 28, 1999.

ADDRESSES: Comments may be mailed to the Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to Suite 340 at the above address. Comments also may be sent by Internet e-mail to reg.comments@pbgc.gov. Comments will be available for public inspection at the PBGC's Communications and Public Affairs Department, Suite 240.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Assistant General Counsel, or Catherine B. Klion, Attorney, Office of the General Counsel, PBGC, 1200 K Street, NW., Washington, DC 20005-4026; 202-326-4024. (For TTY/TDD users, call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

SUPPLEMENTARY INFORMATION:

Background

Late Payment Penalties

Section 4007 of ERISA authorizes the PBGC to assess a late payment penalty charge for failure to pay premiums on time. Under the PBGC's regulation on Payment of Premiums (29 CFR part 4007), the penalty accrues at the rate of 5% of the unpaid amount each month, subject to a floor of \$25 on the total penalty amount. The total penalty amount may not exceed 100% of the premium that is not timely paid. The PBGC may grant a waiver of all or a portion of the penalty (e.g., upon a demonstration of good cause). The regulation also requires the payment of interest on premium underpayments.

On December 2, 1996 (at 61 FR 63874), the PBGC published a policy statement in which it adopted a two-tiered policy on penalties for late payment of premiums due for 1996 and later plan years. This policy, which lowers penalties from 5% per month to 1% per month if a premium payor corrects an underpayment before PBGC notification, is designed to encourage self-correction.

Premium Due Dates

A plan's premium due dates depend upon whether the plan is "small" or "large." Under the current regulation, the determination of whether a plan is "small" or "large" is based on the *actual* number of participants for whom premiums were payable for the prior year. This number is not necessarily the number of participants that was *reported* on the PBGC Form 1 for the prior year.

Small Plans

A small plan is a plan with fewer than 500 participants for the prior year. For