Minimums effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

** * * Effective 03 August 2006*

Bessemer, AL, Bessemer, NDB RWY 5, Amdt 3, CANCELLED
Fairhope, AL, H L Sonny Callahan, RNAV (GPS) RWY 1, Orig
Fairhope, AL, H L Sonny Callahan, RNAV (GPS) RWY 19, Orig
Fairhope, AL, H L Sonny Callahan, GPS RWY 1, Orig, CANCELLED
Fairhope, AL, H L Sonny Callahan, VOR/DME–A, Amdt 5
Fairhope, AL, H L Sonny Callahan, Takeoff Minimums and Textual DP, Orig
Texarkana, AR, Texarkana Regional-Webb Field, VOR RWY 13, Amdt 16
Texarkana, AR, Texarkana Regional-Webb Field, RNAV (GPS) RWY 4, Orig
Texarkana, AR, Texarkana Regional-Webb Field, RNAV (GPS) RWY 13, Orig
Texarkana, AR, Texarkana Regional-Webb Field, RNAV (GPS) RWY 22, Orig
Texarkana, AR, Texarkana Regional-Webb Field, RNAV (GPS) RWY 31, Orig
Texarkana, AR, Texarkana Regional-Webb Field, GPS RWY 4, Orig-A, CANCELLED
Texarkana, AR, Texarkana Regional-Webb Field, GPS RWY 22, Orig-A, CANCELLED
Texarkana, AR, Texarkana Regional-Webb Field, GPS RWY 31, Orig-A, CANCELLED
Tucson, AZ, Tucson Intl, ILS OR LOC RWY 11L, Amdt 13
Tucson, AZ, Tucson Intl, RNAV (RNP) Y RWY 11L, Orig
Tucson, AZ, Tucson Intl, RNAV (GPS) Z RWY 11L, Amdt 1
Tucson, AZ, Tucson Intl, RNAV (RNP) Y RWY 29R, Orig
Tucson, AZ, Tucson Intl, RNAV (GPS) Z RWY 29R, Amdt 2
Oxnard, CA, Oxnard, LOC RWY 25, Orig
Oxnard, CA, Oxnard, ILS RWY 25, Amdt 11
Pueblo, CO, Pueblo Memorial, RNAV (GPS) RWY 26R, Orig
Pueblo, CO, Pueblo Memorial, GPS RWY 26R, Orig, CANCELLED
Fort Myers, FL, Southwest Florida Intl, NDB RWY 5, Orig
Fort Myers, FL, Southwest Florida Intl, VOR/DME OR TACAN RWY 23, Orig
Gary, IN, Gary/Chicago Intl, RNAV (RNP) RWY 12, Orig
Oakley, KS, Oakley Muni, NDB RWY 34, Amdt 3
Oakley, KS, Oakley Muni, RNAV (GPS) RWY 34, Orig
Oakley, KS, Oakley Muni, Takeoff Minimums and Textual DP, Orig
Saginaw, MI, Saginaw County H.W. Browne, ILS OR LOC/DME RWY 27, Orig
St. Louis, MO, Lambert-St. Louis Intl, ILS OR LOC RWY 29, Amdt 1
St. Louis, MO, Lambert-St. Louis Intl, ILS PRM RWY 29, Amdt 1 (Simultaneous Close Parallel)
St. Louis, MO, Lambert-St. Louis Intl, ILS OR LOC RWY 30R, ILS RWY 30R (CAT II); ILS RWY 30R (CAT III), Amdt 9
St. Louis, MO, Lambert-St. Louis Intl, ILS PRM RWY 30R, ILS PRM RWY 30R (CAT II), ILS PRM RWY 30R (CAT III), Amdt 1 (Simultaneous Close Parallel)
St. Louis, MO, Lambert-St. Louis Intl, LDA PRM RWY 30L, Amdt 1 (Simultaneous Close Parallel)
St. Louis, MO, Lambert-St. Louis Intl, RNAV (GPS) RWY 29, Orig
St. Louis, MO, Lambert-St. Louis Intl, RNAV (GPS) RWY 30R, Amdt 1
St. Louis, MO, Lambert-St. Louis Intl, LDA/DME RWY 30L, Amdt 1
Kalispell, MT, Glacier Park Intl, RNAV (GPS) RWY 2, Amdt 1
Kalispell, MT, Glacier Park Intl, VOR/DME RWY 30, Amdt 10
Kalispell, MT, Glacier Park Intl, Takeoff Minimums and Textual DP, Amdt 3
Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 17R, Orig
Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 26, Orig
Grand Forks, ND, Grand Forks Intl, RNAV (GPS) RWY 35L, Orig
Grand Forks, ND, Grand Forks Intl, ILS OR LOC RWY 35L, Amdt 12
Grand Forks, ND, Grand Forks Intl, VOR RWY 17R, Amdt 6
Grand Forks, ND, Grand Forks Intl, VOR RWY 35L, Amdt 7
Grand Forks, ND, Grand Forks Intl, GPS RWY 26, Orig-B, CANCELLED
Grand Forks, ND, Grand Forks Intl, Takeoff Minimums and Textual DP, Amdt 1
Scottsbluff, NE, Western Neb. Rgnl/William B. Heilig Field, LOC/DME RWY 12, Orig
Klamath Falls, OR, Klamath Falls, RNAV (GPS) RWY 14, Orig
Klamath Falls, OR, Klamath Falls, VOR/DME OR TACAN RWY 14, Amdt 4
Walla Walla, WA, Walla Walla Regional, ILS OR LOC RWY 20, Amdt 8

** * * Effective 28 September 2006*

Fort Lauderdale, FL, Fort Lauderdale/Hollywood Intl, RNAV (GPS) RWY 31, Amdt 1
Orlando, FL, Kissimmee Gateway, RNAV (GPS) RWY 33, Orig
Orlando, FL, Kissimmee Gateway, GPS RWY 33, Orig-B, CANCELLED

The FAA published an Amendment in Docket No. 30498, Amdt No. 3170 to Part 97 of the Federal Aviation Regulations (Vol. 71, FR No. 114, Page 34247; dated Wednesday, June 14, 2006) under section 97.27 effective 28 September 2006, which is hereby RESCINDED as follows:

Kelso, WA, Kelso-Longview, NDB OR GPS–A, Amdt 5C, CANCELLED

[FR Doc. 06–5670 Filed 6–27–06; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9269]

RIN 1545–BC00

Distributions of Interests in a Loss Corporation From Qualified Trusts

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final regulations under section 382 of the Internal Revenue Code of 1986. The final regulations affect loss corporations and provide guidance on whether a loss corporation has an owner shift where a qualified trust described in section 401(a) distributes an ownership interest in an entity.

DATES: *Effective Date:* These regulations are effective June 23, 2006.

Applicability Dates: For dates of applicability see § 1.382–10(a)(4).

FOR FURTHER INFORMATION CONTACT: Keith E. Stanley, (202) 622–7750, (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

This document contains amendments to 26 CFR part 1. On June 27, 2003, temporary regulations (TD 9063; 68 FR 38177) regarding whether a loss corporation has an owner shift where a qualified trust described in section 401(a) distributes an ownership interest in an entity were published in the **Federal Register**. A notice of proposed rule making (REG–108676–03) cross-referencing the temporary regulations was published in the **Federal Register** for the same day (68 FR 38247). The temporary regulations provided that—(1) if a qualified trust distributes an ownership interest in an entity, then for testing dates on or after the date of the distribution, the distributed ownership interest will be treated as having been acquired by the distributee on the date and in the manner acquired by the trust, and (2) the distribution itself does not give rise to a testing date. They further provided that, in determining which ownership interests have been distributed, the loss corporation must account for all dispositions of ownership interests by the qualified trust either by specifically identifying the ownership interest disposed of, or by using a first-in, first-out (FIFO) method.

The preamble of TD 9063 included background information and an explanation of provisions regarding the regulations. Also in the preamble, the IRS and Treasury Department requested comments regarding whether there are other events that, under current rules, are taken into account in determining whether an ownership change occurs, but do not cause the ultimate beneficial ownership of the loss corporation to change. In this regard, the IRS and Treasury Department indicated that they had been studying the constructive ownership rules as they apply to members of a family and the effect of those rules on the determination of whether a loss corporation has an ownership change. The IRS and Treasury Department expressed concern that, under the current rules, a change in the composition of a family might be interpreted in certain circumstances as shifting ownership even though there has been no change in the ultimate beneficial ownership of the loss corporation, as, for example, might occur when two individuals owning loss corporation stock get married.

The IRS and Treasury Department further indicated that they were considering the promulgation of regulations to address such changes in family composition in a manner similar to that employed in the proposed regulations concerning qualified trusts. The IRS and Treasury Department will continue to study whether to issue regulations under section 382 concerning shifts in ownership resulting from certain changes in family composition.

No comments were received responding to the notice of proposed rulemaking, and no public hearing was requested or held. The proposed regulations are adopted with no substantive change by this Treasury decision, and the corresponding temporary regulations are removed.

Special Analyses

It has been determined that this regulation is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. Pursuant to 5 U.S.C. 553(d)(3), it has been determined that good cause exists to dispense with a delayed effective date on grounds that this regulation, which is substantively identical to currently effective temporary regulations and relieves a restriction on affected qualified trusts, merely continues to provide necessary guidance to taxpayers with respect to whether a loss corporation has an ownership change where a qualified trust described in section 401(a) distributes an ownership interest in an entity. It is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. This certification is based on the fact that the regulations provide relief to qualifying loss corporations that might be affected by an unintended consequence of the operation of the statute. Therefore, a Regulatory Flexibility Analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required. Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking preceding these final regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Drafting Information

The principal author of these regulations is Keith E. Stanley of the Office of Associate Chief Counsel (Corporate). Other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

■ Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

■ **Paragraph 1.** The authority citation for part 1 is amended by adding entries in numerical order to read, in part, as follows:

Authority: 26 U.S.C. 7805 * * *.

Section 1.382–10 also issued under 26 U.S.C 382(m). * * *

■ **Par. 2.** Section 1.382–1 is amended by removing the entry for § 1.382–10T and revising the entry for § 1.382–10 to read as follows:

§ 1.382–1 Table of contents.

* * * * *

§ 1.382–10 Special rules for determining time and manner of acquisition of an interest in a loss corporation.

* * * * *

■ **Par. 3.** Section 1.382–10 is added to read as follows:

§ 1.382–10 Special rules for determining time and manner of acquisition of an interest in a loss corporation.

(a) *Distributions from qualified trusts*—(1) *In general.* For purposes of § 1.382–2T, if a qualified trust described in section 401(a) (qualified trust) distributes an ownership interest in an entity (as defined in § 1.382–3(a)(1)), then for testing dates on or after the date of the distribution, the distributed ownership interest is treated as having been acquired by the distributee on the date and in the manner acquired by the trust and not as having been acquired or disposed of by the trust. The distribution does not cause the day of the distribution to be a testing date.

(2) *Accounting for dispositions*—(i) *General rule.* For purposes of this paragraph (a), in order to determine which ownership interest in an entity is distributed from a qualified trust, a loss corporation must either specifically identify the ownership interests that are the subject of all dispositions by the qualified trust of ownership interests in an entity, or apply the first-in, first-out (FIFO) method to all such dispositions.

(ii) *Special rules.* For purposes of this paragraph (a)(2):

(A) The FIFO method must be applied on a class-by-class basis; and

(B) The term *dispositions* includes distributions, sales, and other transfers.

(3) *Examples.* The following examples illustrate the principles of this paragraph (a). For purposes of these examples, unless otherwise stated, the nomenclature and assumptions of the examples in § 1.382–2T(b) apply, all corporations file separate income tax returns on a calendar year basis, the only 5-percent shareholder of a loss corporation is a public group, and the facts set forth the only acquisitions of stock by any participants in a qualified plan and the only owner shifts with respect to the loss corporation during the testing period. The examples are as follows:

Example 1—(i) Facts. In 1994, E, a qualified trust established under Plan F, acquires 10 percent of L stock. A is a participant in Plan F. On January 1, 2002, A acquires 4 percent of L stock, and B, who is not a participant or a beneficiary of a participant in Plan F, acquires 5 percent of L stock. On January 1, 2004, E distributes 2 percent of L stock to A. On July 1, 2004, A acquires 1 percent of L stock. (ii) *Analysis.* January 1, 2002, is a testing date because B's acquisition of 5 percent of L stock causes an increase in the percentage ownership of B, a 5-percent shareholder. As of the close of that testing date, A is treated as owning only 4 percent of L stock. Therefore, A is treated as a member of the public group of L. In addition, E is treated as owning 10 percent of L stock that it acquired in 1994.

(iii) As a result of the application of paragraph (a)(1) of this section to E's distribution of 2 percent of L stock to A on January 1, 2004, for testing dates on and after January 1, 2004, A is treated as having acquired that 2 percent interest in L in 1994, and E is treated as having acquired only 8 percent of L stock in 1994. Because there are

no owner shifts on January 1, 2004, that date is not a testing date.

(iv) July 1, 2004, is a testing date because on that date A, a 5-percent shareholder, acquires 1 percent of L stock. As of the close of that testing date, A's percentage of ownership of L stock is 7 percent, and A's lowest percentage of ownership of L stock at any time within the testing period is 2 percent (deemed acquired in 1994), representing an increase of 5 percentage points. In addition, as of the close of July 1, 2004, B's percentage of ownership of L stock is 5 percent, and B's lowest percentage of ownership of L stock at any time within the testing period is 0 percent, representing an increase of 5 percentage points. Thus, on July 1, 2004, L must take into account an increase of 10 (5 + 5) percentage points in determining whether it has an ownership change.

Example 2—(i) Facts. E is a qualified trust established under Plan F. L, a publicly traded corporation, has 100x shares of stock outstanding. As of January 1, 2006, C owns 5x shares of L stock and is not a participant or beneficiary of a participant in Plan F. At all times prior to January 1, 2006, E owns no L stock. On January 1, 2006, E acquires 10x shares of L stock from members of the public group of L. On December 1, 2007, E distributes 5x shares of L stock to some of the participants in Plan F. No one participant acquires all 5x shares as a result of the distribution. On February 1, 2008, C purchases 1x shares of L stock from the public group of L. (ii) *Analysis.* Because E's acquisition of 10x shares of L stock on January 1, 2006, is an owner shift, that date is a testing date. As of the close of that date, E's percentage of stock ownership in L has increased by 10 percentage points.

(iii) As a result of the application of paragraph (a)(1) of this section to E's distribution of 5x shares of L stock to some Plan F participants on December 1, 2007, for testing dates on and after December 1, 2007, those distributees are treated as having acquired those shares of stock on January 1, 2006, from members of the public group of L, and E is not treated as having acquired those shares on that date. E's distribution of the 5x shares is not an owner shift. Therefore, December 1, 2007, is not a testing date.

(iv) February 1, 2008, is a testing date because on that date an owner shift results from C's purchase of 1x shares of L stock. As of the close of that testing date, the distributees of 5x shares of L stock are treated as members of the public group of L having acquired 5x shares of L stock from other members of the public group of L on January 1, 2006. Because those acquisitions are not by 5-percent shareholders, L does not take them into account. In addition, as of the close of February 1, 2008, E's percentage of stock ownership in L is 5 percent, and E's lowest percentage of stock ownership in L at any time within the testing period is 0 percent, representing an increase of 5 percentage points. In addition, as of the close of February 1, 2008, C's percentage of stock ownership in L is 6 percent, and C's lowest percentage of stock ownership in L at any time within the testing period is 5 percent, representing an increase of 1 percentage point. Therefore, on February 1, 2008, L must take into account an increase of 6 (5 + 1) percentage points in determining whether it has an ownership change.

(4) *Effective dates.* This section applies to all distributions after June 23, 2006. For distributions on or before June 23, 2006, see § 1.382–10T as contained in 26 CFR part 1, revised April 1, 2006.

(b) [Reserved]

§ 1.382–10T [Removed]

■ **Par. 4.** Section 1.382–10T is removed.

Mark E. Matthews,

Deputy Commissioner for Services and Enforcement.

Approved: June 20, 2006.

Eric Solomon,

Acting Deputy Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 06–5676 Filed 6–23–06; 9:48 am]

BILLING CODE 4820–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[EPA–R09–OAR–2006–0496; FRL–8190–1]

Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona; Maricopa County Air Quality Department; State of California; San Joaquin Valley Unified Air Pollution Control District; State of Nevada; Nevada Division of Environmental Protection

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is amending certain regulations to reflect the current delegation status of national emission standards for hazardous air pollutants (NESHAPs) in Arizona, California, and Nevada. Several NESHAPs were delegated to the Maricopa County Air Quality Department on May 16, 2006, to the San Joaquin Valley Unified Air Pollution Control District on October 31, 2005, and to the Nevada Division of Environmental Protection on May 9, 2006. The purpose of this action is to update the listing in the Code of Federal Regulations.

DATES: This rule is effective on August 28, 2006 without further notice, unless EPA receives adverse comments by July 28, 2006. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2006–0496, by one of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the on-line instructions.
2. *E-mail: steckel.andrew@epa.gov.*
3. *Mail or delivery:* Andrew Steckel (Air–4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *http://www.regulations.gov*, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *http://www.regulations.gov* or e-mail. *http://www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Docket: The index to the docket for this action is available electronically at *http://www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (*e.g.*, copyrighted material), and some may not be publicly available in either location (*e.g.*, CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Mae Wang, EPA Region IX, (415) 947–4124, *wang.mae@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

I. Background

A. Delegation of NESHAPs

Section 112(l) of the Clean Air Act, as amended in 1990 (CAA), authorizes EPA to delegate to state or local air pollution control agencies the authority to implement and enforce the standards set out in the Code of Federal Regulations, Title 40 (40 CFR), Part 63, National Emission Standards for Hazardous Air Pollutants for Source