

criticality of the electrical power generation and distribution systems. Since the loss of all electrical power may be catastrophic to the airplane, a special condition is proposed to retain the level of safety envisioned by § 25.1351(d).

The Boeing Model 717-200 airplane requires a continuous source of electrical power in order for the electronic flight instrument system to remain operable. Section § 25.1351(d), "Operation without normal electrical power," requires safe operation in visual flight rule (VFR) conditions for a period of not less than five minutes with inoperative normal power. This rule was structured around a traditional design utilizing analog/mechanical flight instrumentation, which allows the crew to sort out the electrical failure, start engine(s) if necessary, and re-establish some of the electrical power generation capability. However, with today's aircraft, complex electronic/avionics systems are now performing critical functions that may require uninterrupted electrical power for continued safe flight (in instrument meteorological conditions (IMC)) and landing.

In addition, § 121.161 states that an operator may fly a twin-engine airplane over a route that allows up to one hour flying time from a suitable airport. If Boeing seeks operational approval for extended over water operations, with a possible diversion time of one hour, the emergency power system must be capable of providing at least one hour of operation to critical and essential systems. If, however, Boeing intends to exclude extended over water operations, then only 30 minutes of emergency power will be required.

In order to maintain the same level of safety associated with traditional designs, the Boeing Model 717-200 design must provide at least 30 minutes of emergency power without the normal source of engine or APU generated electrical power. It should be noted that service experience has shown that the loss of all electrical power generated by the airplane's engine generators or APU is not extremely improbable. Thus, it must be demonstrated that the airplane can continue through safe flight and landing with only the use of its emergency electrical power systems. These emergency electrical power systems must be able to power loads that are essential for continued safe flight and landing. The emergency electrical power system must be designed to:

1. Continue to operate the airplane for immediate safety without the need for crew action following the loss of the

normal engine (which includes APU power) generator electrical power system,

2. Supply electrical power required for continued safe flight and landing, and

3. Supply electrical power required to restart the engines.

For compliance purposes a test demonstration of the loss of normal engine generator power is to be established such that:

1. The failure condition is assumed to occur during night IMC at the most critical phase of the flight relative to the electrical power system design and distribution of equipment loads on the system.

2. The airplane engine restart capability must be provided and operations continued in IMC after the unrecoverable loss of normal engine generator power.

3. The airplane is demonstrated to be capable of continuous safe flight and landing. The length of time must be computed based on the maximum diversion time capability for which the airplane is being certified.

Consideration for speed reductions resulting from the associated failure must be made.

4. The availability of APU operation should not be considered in establishing emergency power system adequacy.

#### Applicability

As discussed above, these special conditions are applicable to the Boeing Model 717-200. Should The Boeing Company apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

#### Conclusion

This action affects only certain novel or unusual design features on Boeing Model 717-200 airplanes. It is not a rule of general applicability, and it affects only the applicant who applied to the FAA for approval of these features on the airplane.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of

the type certification basis for Boeing Model 717-200 airplanes.

1. *Operation Without Normal Electrical Power.* In lieu of compliance with § 25.1351(d), "It must be demonstrated by test, or combination of test and analysis, that the airplane can continue safe flight and landing with inoperative normal engine and APU generator electrical power (electrical power sources excluding the battery and any other standby electrical sources). The airplane operation must be considered at the critical phase of flight and include the ability to restart the engines and maintain flight for the maximum diversion time capability being certified."

Issued in Renton, Washington on March 17, 1999.

**John J. Hickey,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.*

[FR Doc. 99-7319 Filed 3-24-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-AWA-1]

RIN 2120-AA66

#### Proposed Revision to the Legal Description of the Riverside, March Air Force Base (AFB) Class C Airspace Area; CA

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to revise the legal description of the Riverside, CA, March AFB Class C airspace area by replacing references to the former active duty AFB with the current civil/military joint-use designation of "March Field," and to change the operating hours to be consistent with the current mission requirements of the U.S. Air Force (USAF) Reserve, the U.S. Customs Service, and other tenants operating at the airport. Specifically, the Class C airspace area, as proposed, would be designated effective during the specific days and hours of operation of the March Field Ground Controlled Approach (GCA) facility as established in advance by a Notice to Airmen (NOTAM). The effective dates and times would thereafter be continuously published in the Airport/Facility Directory. This proposed action would

not change the actual dimensions, configuration, or operating requirements of the Riverside, March AFB Class C airspace area.

**DATES:** Comments must be received on or before May 13, 1999.

**ADDRESSES:** Send comments on the proposal in triplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-200, Airspace Docket No. 99-AWA-1, 800 Independence Avenue, SW., Washington, DC 20591. Comments may also be sent electronically to the following Internet address: [nprmcmts@mail.hq.faa.gov](mailto:nprmcmts@mail.hq.faa.gov). The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the FAA Western-Pacific Regional Office.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 99-AWA-1." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for

examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### **Availability of NPRM's**

An electronic copy of this document may be downloaded from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703-321-3339) or the **Federal Register's** electronic bulletin board service (telephone: 202-512-1661), using a modem and suitable communications software.

Internet users may reach the FAA's web page at <http://www.faa.gov> or the **Federal Register's** web page at <http://www.access.gpo.gov/nara/index.html> for access to recently published rulemaking documents.

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3075.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the Federal Aviation Administration, Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

##### **Background**

On May 7, 1997, the USAF Reserve and the March Joint Powers Authority (JPA) entered into a formal agreement for military-civilian joint-use of the former March Air Force Base. The March Class C airspace area remains an essential safety measure in support of the ongoing mission requirements of key March Field tenants which include the USAF Reserve, the U.S. Customs Service Domestic Air Interdiction Center, the California Air National Guard, and the March Aero Club.

##### **The Proposal**

The FAA proposes to amend 14 CFR part 71 by revising the legal description of the Riverside, March AFB Class C airspace area located at Riverside, CA. The current legal description refers to an Air Force base that has been deactivated. Further, the FAA proposes to use the operating hours for the Class C airspace area which are consistent with the current mission requirements of the USAF Reserve, the US Customs Service, and other tenants operating at

this airport. It is proposed that the Class C airspace area would be designated effective during the specific days and hours of operation of the March GCA facility as established in advance by NOTAM. The proposed action is a technical amendment to the legal description and would not change the actual dimensions, configuration, or operating requirements of the Riverside, March AFB Class C airspace area.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed action: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The coordinates for this airspace docket are based on North American Datum 83. Class C airspace designations are published in paragraph 4000 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class C airspace designation listed in this document would be published subsequently in the Order.

##### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

##### **The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

##### **PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace

Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

*Paragraph 4000—Subpart C—Class C Airspace*

\* \* \* \* \*

**AWP CA C Riverside, March Field, CA [Revised]**

Riverside, March Field, CA  
(Lat. 33°52'50"N., long. 117°15'34" W.)

That airspace extending upward from the surface to and including 5,500 feet MSL within a 5-mile radius of March Field; and that airspace extending upward from 3,900 feet MSL to and including 5,500 feet MSL within the 10-mile radius of March Field from the centerline of V-16/V-370 east of the airport clockwise to the 216° bearing from the airport and that airspace extending upward from 2,900 feet MSL to but not including 3,900 feet MSL within 2 miles east and 1.5 miles west of the 150° bearing from the airport extending from the 5-mile radius to the 10-mile radius of the airport. This Class C airspace area is effective during the specific days and hours of operation of the March GCA facility as established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the airport/Facility Directory.

\* \* \* \* \*

Issued in Washington, DC, on March 18, 1999.

**Reginald C. Matthews,**

*Acting Program Director for Air Traffic Airspace Management.*

[FR Doc. 99-7355 Filed 3-24-99; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-105170-97]

RIN 1545-AV14

#### **Credit for Increasing Research Activities; Hearing**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of public hearing on proposed rulemaking.

**SUMMARY:** This document contains a notice of a public hearing on proposed regulations relating to the computation of the credit under section 41(c) and the definition of qualified research under section 41(d).

**DATES:** The public hearing is being held on Thursday, April 29, 1999, at 10 a.m. The IRS must receive outlines of topics to be discussed at the hearing by April 15, 1999.

**ADDRESSES:** The public hearing is being held in room 2615, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. Due to building security procedures, visitors must enter at the 10th Street entrance, located between Constitution and Pennsylvania Avenues, NW. In addition, all visitors must present photo identification to enter the building.

*Mail outlines to:* CC:DOM:CORP:R (REG-105170-97), room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Hand deliver outlines Monday through Friday between the hours of 8 a.m. and 5 p.m. to: CC:DOM:CORP:R (REG-105170-97), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. Submit outlines electronically via the Internet by selecting the "Tax Regs" option on the IRS Home Page, or by submitting them directly to the IRS Internet site at: [http://www.irs.ustreas.gov/prod/tax\\_\\_regs/comments.html](http://www.irs.ustreas.gov/prod/tax__regs/comments.html).

**FOR FURTHER INFORMATION CONTACT:** Concerning submissions of comments, the hearing, and/or to be placed on the building access list to attend the hearing Guy Traynor, (202) 622-7180 (not a toll free number).

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed regulations (REG-105170-97) that were published in the **Federal Register** on December 2, 1998 (63 FR 66503 [1998-50 IRB 10 (see § 601.601(d)(2))]).

The rules of 26 CFR 601.601(a)(3) apply to the hearing.

Persons who have submitted written comments and wish to present oral comments at the hearing, must submit an outline of the topics to be discussed and the amount of time to be devoted to each topic (signed original and eight (8) copies) by April 15, 1999.

A period of 10 minutes is allotted to each person for presenting oral comments.

After the deadline for receiving outlines has passed, the IRS will prepare an agenda containing the schedule of speakers. Copies of the agenda will be made available, free of charge, at the hearing.

Because of access restrictions, the IRS will not admit visitors beyond the immediate entrance area more than 15 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER**

**INFORMATION CONTACT** section of this document.

**Cynthia E. Grigsby,**

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

[FR Doc. 99-7339 Filed 3-24-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 914

[SPATS No. IN-145-FOR; State Program Amendment No. 98-1]

#### Indiana Regulatory Program

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

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Indiana regulatory program (Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposes reference changes in its rules for surface mining permit applications, geology description; underground mining permit applications, geology description; and permit applications, public participation. Indiana also proposes to add a new provision to its rule for surface mining permit applications, postmining land uses. Indiana intends to revise its program to be consistent with the corresponding Federal regulations.

This document gives the times and locations that the Indiana program and amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that will be followed for the public hearing, if one is requested.

**DATES:** We will accept written comments until 4:00 p.m., e.s.t., April 26, 1999. If requested, we will hold a public hearing on the amendment on April 19, 1999. We will accept requests to speak at the hearing until 4:00 p.m., e.s.t. on April 9, 1999.

**ADDRESSES:** You should mail or hand deliver written comments and requests to speak at the hearing to Andrew R. Gilmore, Director, Indianapolis Field Office, at the address listed below.

You may review copies of the Indiana program, the amendment, a listing of