

of all circumstances, to determine if a public hearing is necessary.

#### *Disclosure*

Copies of this notice, Notice No. 859, and the written comments will be available for public inspection during normal business hours at: ATF Public Reading Room, Room 6480, 650 Massachusetts Avenue, NW, Washington, DC.

#### *Drafting Information*

The author of this document is Marjorie D. Ruhf, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

#### **List of Subjects**

##### *27 CFR Part 4*

Advertising, Consumer protection, Customs duties and inspection, Imports, Labeling, Packaging and containers, Wine.

##### *27 CFR Part 19*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Chemicals, Claims, Customs duties and inspections, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Spices and flavorings, Stills, Surety bonds, Transportation, Vinegar, Virgin Islands, Warehouses, Wine.

##### *27 CFR Part 24*

Administrative practice and procedure, Authority delegations, Claims, Electronic fund transfers, Excise taxes, Exports, Food additives, Fruit juices, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavoring, Surety bonds, Taxpaid wine bottling house, Transportation, Vinegar, Warehouses, Wine.

##### *27 CFR Part 194*

Alcohol and alcoholic beverages, Authority delegations, Beer, Claims, Excise taxes, Exports, Labeling, Liquors, Packaging and containers, Penalties, Reporting requirements, Wine.

##### *27 CFR Part 250*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations (Government agencies), Beer, Claims, Customs duties and inspections, Drugs, Electronic funds transfers, Excise taxes, Foods, Liquors, Packaging and containers, Puerto Rico, Reporting and

recordkeeping requirements, Spices and flavorings, Surety bonds, Transportation, Wine.

##### *27 CFR Part 251*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Beer, Customs duties and inspections, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Perfume, Reporting and recordkeeping requirements, Transportation, Wine.

#### **Authority and Issuance**

This notice is issued under the authority in 26 U.S.C. 5301, 7805, and 27 U.S.C. 205.

Signed: October 29, 1998.

**John W. Magaw,**

*Director.*

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BILLING CODE 4810-31-U

## **DEPARTMENT OF EDUCATION**

### **34 CFR Ch. VI**

#### **Office of Postsecondary Education, Student Assistance**

**AGENCY:** Department of Education.

**ACTION:** Request for advice and recommendations on regulatory issues under Title IV of the Higher Education Amendments of 1998, "Student Assistance."

**SUMMARY:** The Secretary of Education (Secretary) solicits advice and recommendations from the public prior to publishing proposed regulations to implement student assistance programs under Title IV of the Higher Education Act of 1965, as recently amended by the Higher Education Amendments of 1998. **DATES:** We request that you send written comments by December 15, 1998. You may also submit comments at regional hearings to be held on December 4-12, 1998. (See dates, times and locations of regional hearings under the **SUPPLEMENTARY INFORMATION** section of this notice.)

**ADDRESSES:** Please send your comments to Brian Kerrigan, U.S. Department of Education, 400 Maryland Avenue, SW, ROB-3, Washington D.C. 20202-5257, or fax them to Brian Kerrigan at (202) 205-0786. You may also E-mail your comments to: [hea98negotiated\\_rulemaking@ed.gov](mailto:hea98negotiated_rulemaking@ed.gov)

**FOR FURTHER INFORMATION CONTACT:** Brian Kerrigan, U.S. Department of Education, 400 Maryland Avenue, SW, Rob-3, Washington, DC 20202-5257. Telephone: (202) 708-5217. If you use a

telecommunications device for the deaf (TDD) you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On October 7, President Clinton signed into law Public Law 105-244, the Higher Education Amendments of 1998 (Amendments), amending the Higher Education Act of 1965 (HEA). Section 492 of the HEA, as amended, requires that, before publishing any proposed regulations to implement programs under Title IV, the Secretary obtain public involvement in the development of the proposed regulations. The Secretary must obtain advice and recommendations from individuals and groups involved in student financial assistance, such as students, legal assistance organizations that represent students, institutions of higher education, guaranty agencies, lenders, secondary markets, loan servicers, guaranty agency servicers, and collection agencies, and must provide for a comprehensive discussion and exchange of information concerning the implementation of Title IV of the HEA. After obtaining advice and recommendations, the Secretary will conduct a negotiated rulemaking process to develop proposed regulations. All published proposed regulations must conform to any agreements resulting from the negotiated rulemaking process unless the Secretary reopens the negotiated rulemaking process, or provides a written explanation to the participants in that process why the Secretary has decided to depart from the agreements.

Participants in the negotiation process will be selected by the Secretary from individuals nominated by the groups mentioned above, and will include both representatives of those groups from Washington, D.C., and industry participants. To the extent possible, the Secretary will select individuals reflecting the diversity in the industry, representing both large and small participants, and serving both local areas and national markets. The Secretary intends to include in the negotiation sessions those groups that participated in the 1992 and 1994 higher education negotiation sessions. Any additional groups that did not

participate in the 1992 and 1994 negotiation sessions that would like to participate in these negotiation sessions should inform the Department of their interest in participating, either by submitting a written comment, or by attending one of the regional hearings.

The negotiation process must be conducted in a timely manner so that the Secretary can issue the final regulations within 360 days of the date of enactment of the Amendments. Additionally, the Secretary must publish any final regulations under Title IV by November 1, 1999, as any final regulations not published by that date would not take effect until July 1, 2001, at the earliest. As a result of these time constraints, the Secretary anticipates a highly expedited process in the development of any proposed regulations.

The Secretary therefore invites advice and recommendations from interested parties concerning what regulations may be necessary to implement Title IV of the HEA. The Secretary also invites advice and recommendations concerning which regulated issues should be subjected to a negotiated rulemaking process. The Secretary further requests advice and recommendations concerning ways to prioritize the numerous issues in Title IV, in order to meet the statutory deadlines mentioned above. Additionally, the Secretary would like advice and recommendations concerning how the negotiated rulemaking process should be conducted, given the time available and the number of regulations that may need to be developed.

Under its principles for regulating, the Department of Education (Department) will regulate only when it improves the quality and equality of services to its customers—learners of all ages. The Department will regulate only when absolutely necessary, and then in the most flexible, most equitable, and least burdensome way possible. The Department will regulate if a demonstrated problem exists and cannot be resolved without regulation or if necessary to provide legally binding interpretation to resolve an ambiguity. The Department will not regulate if entities or situations to be regulated are so diverse that a uniform approach does more harm than good.

#### Regional Hearings

Participants are welcome to address issues relating to the implementation of Title IV of the HEA, either by attending the regional hearings or submitting written comments. Comments will be used to help develop any proposed

regulations, and will not result in any statutory changes. Individuals desiring to present comments at the hearings are encouraged to do so. It is likely that each participant choosing to make a statement will be limited to five minutes. Individuals interested in making oral statements will be able to sign up to make a statement beginning at 8:30 a.m. on the day of the hearing at the Department's regional hearing on-site registration table on a first-come, first-served basis. If additional time slots remain, individuals may be given additional time to speak. If no time slots remain, the Department has reserved one additional hour at the end of the first day, and one-half hour at the end of the second day for people who were not able to register to speak. The amount of time available will depend upon the number of individuals who request reservations. Speakers may also submit written comments. The dates, times, and locations of the regional hearings are listed below.

In addition, for anyone unable to attend any of the regional hearings, the Department will also accept, and strongly encourages, written comments. You should send your comments to Brian Kerrigan at the above address by December 15, 1998. If possible, please try to provide a copy of any written comments on a disk.

The Department has reserved a limited number of rooms at each of the following hotels at a special government per diem room rate. To reserve these rates, be certain to inform the hotel that you are attending the regional hearings with the Department of Education.

The hearing sites are accessible to individuals with disabilities. The Department will provide a sign language interpreter at each of the scheduled hearings. An individual with a disability who will need an auxiliary aid or service other than an interpreter to participate in the meeting (e.g., assistive listening device, or materials in an alternate format) should notify the contact person listed in this notice at least two weeks before the scheduled meeting date. Although the Department will attempt to meet a request received after that date, the requested auxiliary aid or service may not be available because of insufficient time to arrange it.

#### Dates, Times, and Locations of Regional Hearings

1. December 4, 1998, 9:00–5:00 p.m., December 5, 1998, 9:00 a.m.–12:00 p.m., Holiday Inn on the Hill, 415 New Jersey Ave., N.W., Washington, D.C.; 1–202–638–1616, and ask for reservations. Sleeping Room rate: \$126.00 (inclusive

of all taxes). Reservations must be made by November 13.

2. December 8, 1998, 9:00–5:00 p.m., December 9, 1998, 9:00 a.m.–12:00 p.m., The Regal Knickerbocker, Walton Place at North Michigan Avenue, Chicago, Illinois; 1–312–751–8100, and ask for reservations. Sleeping room rate: \$120.00 (inclusive of all taxes). Reservations must be made by November 16.

3. December 11, 1998, 9:00 a.m.–5:00 p.m., December 12, 1998, 9:00 a.m.–12:00 p.m., Hyatt Regency Los Angeles, 711 South Hope Street, Los Angeles, California; 1–213–683–1234, and ask for reservations. Sleeping room rate: \$124.26 (inclusive of all taxes). Reservations must be made by November 27.

#### Electronic Access to This Document

Anyone may view this document, as well as all other Department of Education documents published in the **Federal Register**, in Text or portable document format (pdf) on the World Wide Web at either of the following sites:

<http://ocfo.ed.gov/fedreg/htm>  
<http://www.ed.gov/news.html>

To use the pdf you must have the Adobe Acrobat Reader Program with Search, which is available free at either of the previous sites. If you have questions about using the pdf, call the U.S. Government Printing Office toll free at 1–888–293–6498.

**Program Authority:** 20 U.S.C. 1090a. (Catalog of Federal Domestic Assistance Number does not apply.)

Dated: November 4, 1998.

**Richard W. Riley,**

*Secretary of Education.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[PA4081b; FRL–6184–3]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Approval of VOC and NO<sub>x</sub> RACT Determinations for Individual Sources

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

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**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the