

the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

### Regulatory Impact

The regulations proposed herein would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

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

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**Airbus:** Docket 2003–NM–111–AD.

**Applicability:** Model A330, A340–200, and A340–300 series airplanes; except for those on which Airbus Modification 50044 has been accomplished in production, certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fatigue failure of the rotary actuator lever for the flaps, which could result in loss of the flap surface and consequent reduced controllability of the airplane, accomplish the following:

#### Replacement

(a) Replace the flap rotary actuators with modified flap rotary actuators in accordance with the Accomplishment Instructions of Airbus Service Bulletin (SB) A340–27–4111, dated February 18, 2003 (for Model A340–200 and –300 series airplanes); or Airbus SB A330–27–3106, dated February 18, 2003 (for Model A330 series airplanes); as applicable. Do the replacement at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Prior to the accumulation of 18,000 total flight cycles.

(2) Within 12 years since the date of issuance of the original Airworthiness Certificate, or within 12 years since the date of issuance of the Export Certificate of Airworthiness, whichever occurs first.

**Note 1:** Airbus Service Bulletins A330–27–3106 and A340–27–4111 reference Liebherr-Aerospace Lindenberg GmbH Service Bulletins 697510–27–02 and 697511–27–02, both dated February 21, 2003, as additional sources of service information for accomplishment of the replacement.

#### Alternative Methods of Compliance

(b) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

**Note 2:** The subject of this AD is addressed in French airworthiness directives 2003–140(B), dated April 2, 2003, and 2003–141(B), dated April 2, 2003.

Issued in Renton, Washington, on February 5, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 04–3205 Filed 2–12–04; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–143321–02; REG–156232–03]

RIN 1545–BB60; RIN 1545–BC80

### Information Reporting Relating to Taxable Stock Transactions; Correction

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

**ACTION:** Correction to withdrawal of previous proposed rules; notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing.

**SUMMARY:** This document contains corrections to a withdrawal of previous proposed rules; notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing that was published in the **Federal Register** on Tuesday, December 30, 2003 (68 FR 75182), relating to information reporting by a corporation if control of the corporation has a recapitalization or other substantial change in capital structure.

**FOR FURTHER INFORMATION CONTACT:** Nancy L. Rose, (202) 622–4910 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The withdrawal of previous proposed rules; notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–143321–02; REG–156232–03) that is the subject of this correction is under sections 6043(c) and 6045 of the Internal Revenue Code.

#### Need for Correction

As published, the withdrawal of previous proposed rules; notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–143321–02; REG–156232–03) contains an error that may prove to be misleading and is in need of clarification.

#### Correction of Publication

Accordingly, the publication of the withdrawal of previous proposed rules; notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG–143321–02; REG–156232–03), that was the subject of FR Doc. 03–31362, is corrected as follows:

1. On page 75184, column 1, in the preamble under the paragraph heading "Comments and Public Hearing", line 10, the language "to understand. All comments will be" is corrected to read "to understand. Comments are particularly requested with respect to the ability of brokers to obtain the information necessary for reporting

under the proposed rules. All comments will be”.

**Cynthia E. Grigsby,**

*Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 04-3263 Filed 2-12-04; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. S-030]

RIN 1218-AC01

#### Safety Standards for Cranes and Derricks

**AGENCY:** Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

**ACTION:** Notice of Negotiated Rulemaking Committee meetings.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) announces the eighth and ninth meetings of the Crane and Derrick Negotiated Rulemaking Advisory Committee (C-DAC). The Committee will review summary notes of the prior meeting, review draft regulatory text and continue to address substantive issues. The meeting will be open to the public.

**DATES:** The meetings will be on March 3, 4, and 5, 2004, and March 29, 30, and 31, 2004. The March 3, 4, and 5 meeting will begin each day at 8:30 a.m. The March 29, 30, and 31 meeting will begin each day at 8:30 a.m. Each C-DAC meeting is expected to last two and a half days. Individuals with disabilities wishing to attend should contact Luz Dela Cruz by telephone at 202-693-2020 or by fax at 202-693-1689 to obtain appropriate accommodations no later than Friday, February 20, 2004.

**ADDRESSES:** The March 3, 4, and 5 meeting will be held at the U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 in conference room N-3437 A, B, C. The March 29, 30, and 31 meeting will be held at the U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 in conference room N-4437 B, C, D.

Written comments to the Committee may be submitted in any of three ways: by mail, by fax, or by email. Please include “Docket No. S-030” on all submissions.

*By mail:* Submit three (3) copies to: OSHA Docket Office, Docket No. S-030, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210, telephone (202) 693-2350. Note that receipt of comments submitted by mail may be delayed by several weeks.

*By fax:* Written comments that are 10 pages or fewer may be transmitted to the OSHA Docket Office at fax number (202) 693-1648.

*Electronically:* Comments may be submitted through OSHA’s Web page at <http://ecomments.osha.gov>. Please note that you may not attach materials such as studies or journal articles to your electronic comments. If you wish to include such materials, you must submit three copies to the OSHA Docket Office at the address listed above. When submitting such materials to the OSHA Docket Office, clearly identify your electronic comments by name, date, subject, and Docket Number, so that we can attach the materials to your electronic comments.

**FOR FURTHER INFORMATION CONTACT:** Michael Buchet, Office of Construction Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3468, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-2345.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On July 16, 2002, OSHA published a notice of intent to establish a negotiated rulemaking committee to improve crane and derrick safety in construction, requested comments and nominations for membership (volume 67 of the *Federal Register*, page 46612). In subsequent notices the Department of Labor announced the establishment of the Committee (volume 68 of the *Federal Register*, page 35172, June 12, 2003), requested comments on a list of proposed members (68 FR 9036, February 27, 2003), published a final membership list (68 FR 39877, July 3, 2003), and announced the first meeting (68 FR 39880, July 3, 2003), which was held July 30—August 1, 2003. The Agency published notices announcing the subsequent meetings.

##### II. Agenda

The Committee will review draft materials prepared by the Agency based on CDAC discussions at prior meetings, and will address additional issues. While the pace of the discussion varies, OSHA anticipates that CDAC will be discussing several items from the “Anticipated Key Issues for

Negotiation” list at both March meetings. At the March 3, 4, and 5 meeting, in addition to key issues from the list, the Agency anticipates the committee will be discussing Safety Devices and Operational Aids (fail safe warnings, secondary brake systems and others). At the March 29, 30, and 31 meeting the Agency anticipates that the committee will be discussing limited requirements for cranes with a rated capacity of 2,000 pounds or less as well as continuing its discussions of key issues from the list.

##### III. Anticipated Key Issues for Negotiation

OSHA anticipates that CDAC will continue discussing key issues from the following list in upcoming meetings:

1. Scope;
2. Definitions;
3. Assembly & Disassembly (including reeving/rigging);
4. Operation Procedures;
5. Signals;
6. Personnel Qualifications, Training & Testing;
7. Inspections;
8. Modifications;
9. Keeping Clear of the Load;
10. Fall Protection;
  - a. Ladder access and cat walks;
  - b. Fall arrest;
11. Hoisting Personnel;
12. Machine Guarding;
13. Qualifications of Maintenance & Repair Workers;
14. Work Zone Control;
15. Wire Rope;
16. Responsibility for environmental considerations, site conditions and ground conditions;
17. Operating near Power Lines;
18. Derricks;
19. Free Fall/Power Down;
20. Critical Lifts and Engineered Lifts;
21. Signals (standard methods) “B30. 5”;
22. Verification criteria for structural adequacy of crane components and stability testing requirements;
23. Overhead & Gantry Cranes;
24. Floating Cranes, Cranes on Barges;
25. Safety Devices: fail-safe, warning, secondary brake system, and other safety-related devices/technology;
26. Tower Cranes;
27. Operator Cab Criteria (roll over, visibility, overhead protection);
28. Limited Requirements for cranes with a rated capacity of 2,000 pounds or less.

##### IV. Public Participation

All interested parties are invited to attend these public meetings at the times and places indicated above. Note, however, that a government issued photo ID card (State or Federal) is required for entry into the Department of Labor building. No advance registration is required. The public must enter the Department of Labor for the meeting through the 3rd and C Street,