2000. Student H's qualified higher education expenses for the two semesters are paid within a reasonable period of time, as the first loan disbursement was made within 60 days prior to the start of the Fall 1999 semester and the second loan disbursement was made during the Spring 2000 semester.

Example 5. Mixed-use loans. Student I signs a promissory note for a loan which is secured by I's personal residence. Part of the loan proceeds will be used to pay for certain improvements to I's residence and part of the loan proceeds will be used to pay qualified higher education expenses of I's spouse. Because the loan is not incurred by I solely to pay qualified higher education expenses, the loan is not a qualified education loan.

(g) *Denial of double benefit.* No deduction is allowed under this section for any amount for which a deduction is allowed under another provision of Chapter 1 of the Internal Revenue Code.

(h) *Special rules*—(1) *60-month limitation*—(i) *Refinancing.* A qualified education loan and all refinancings of that loan are treated as a single loan for purposes of calculating the 60-month period described in paragraph (e)(1) of this section.

(ii) *Consolidated loans.* A consolidated loan is a single loan that refinances more than one qualified education loan of a borrower. For consolidated loans, the 60-month period described in paragraph (e)(1) of this section begins on the most recent date on which any of the underlying loans entered repayment status and includes any subsequent month in which the consolidated loan is in repayment status.

(iii) *Collapsed loans.* A collapsed loan is two or more qualified education loans of a single borrower that are treated as a single qualified education loan for loan servicing purposes and are not separately accounted for by the lender or servicer. For a collapsed loan, the 60-month period described in paragraph (e)(1) of this section begins on the most recent date on which any of the underlying loans entered repayment status and includes any subsequent month in which any of the underlying loans is in repayment status.

(2) *Loan origination fees and capitalized interest*—(i) *In general.* Loan origination fees (other than any fees for services) and capitalized interest are interest and are deductible under this section.

(ii) *Capitalized interest defined. Capitalized interest* means any accrued and unpaid interest on a qualified education loan that is capitalized by the lender (in accordance with the terms of the loan) and added to the outstanding principal balance of the qualified education loan.

(iii) *Allocation of payments.* Loan origination fees and capitalized interest are deemed to be paid by the taxpayer when principal is repaid on the qualified education loan. Accordingly, the taxpayer may deduct the portion of a stated principal payment that is treated as the payment of any loan origination fees or capitalized interest on the loan. See §§ 1.446–2(e) and 1.1275–2(a) for rules on how to allocate payments between interest and principal. In general, under these rules, a payment (regardless of its label) is treated first as a payment of interest to the extent of the interest that has accrued and remains unpaid as of the date the payment is due, second as a payment of any loan origination fees or capitalized interest, until such amounts have been reduced to zero, and third as a payment of principal.

(3) *Examples.* The following examples illustrate the rules of this paragraph (h):

Example 1. Refinancing. Student J obtains a qualified education loan to pay for an undergraduate degree at an eligible educational institution. After graduation, Student J is required to make monthly interest payments on the loan beginning in January 2000. Student J makes the required interest payments for 15 months. In April 2001, Student J borrows money from another lender to be used exclusively to repay the first qualified education loan. The new loan requires interest payments to start immediately. At the time Student J is required to make interest payments on the new loan there are forty five months remaining of the original 60-month period referred to in paragraph (e)(1) of this section.

Example 2. Collapsed loans. To finance his education, Student K obtains four separate qualified education loans from Lender B. The loans enter repayment status on different dates. After all of Student K's loans have entered repayment status, Lender B informs Student K that all four loans will be transferred to Lender C. Following the transfer, Lender C treats the loans as a single loan for loan servicing purposes; Lender C sends Student K a single statement that shows the total principal and interest, and does not keep separate records with respect to each loan. The 60-month period described in paragraph (e)(1) of this section begins on the most recent date on which any of Student K's four loans entered repayment status.

Example 3. Capitalized interest. Interest on Student L's qualified education loan accrues while Student L is in school, but Student L is not required to make any payments on the loan until six months after he graduates. At that time, all accrued but unpaid interest is capitalized by the lender and is added to the outstanding principal amount of the loan. Thereafter, Student L is required to make monthly payments of interest and principal on the loan. For purposes of section 221, interest includes both stated interest and capitalized interest. Therefore, in determining the total amount of interest paid on the qualified education loan during the 60-month period described in paragraph (e)(1) of this section, Student L may deduct any principal payments that are treated as payments of capitalized interest under paragraph (h)(4) of this section.

(i) *Effective date.* This section applies to interest due and paid after December 31, 1997, on a qualified education loan.

Robert E. Wenzel,

Deputy Commissioner of Internal Revenue.

[FR Doc. 99–986 Filed 1–20–99; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE INTERIOR

Office of Hearings and Appeals

Minerals Management Service

30 CFR Parts 208, 241, 242, 243, 250, and 290

43 CFR Part 4

RIN 1010–AC21

Meeting on Proposed Rule—Appeals of MMS Orders

AGENCY: Office of Hearings and Appeals and Minerals Management Service, Interior.

ACTION: Notice of meeting.

SUMMARY: The Office of Hearings and Appeals (OHA), the Bureau of Indian Affairs and the Minerals Management Service (MMS) published a proposed rule in the **Federal Register** on January 12, 1999 (64 FR 1930), to amend the procedures for appeals of MMS orders and other related matters.

OHA and MMS will hold a public meeting to discuss the proposed rule and receive public comments. We invite interested parties to attend and participate in this meeting.

DATES: The meeting will be held on Tuesday, February 16, 1999, from 9:00 a.m. until 4:00 p.m.; Central Standard Time.

ADDRESSES: The meeting will be held at MMS's Houston Compliance Division Office, in Room 104, at 4141 North Sam Houston Parkway East, Houston, TX 77032.

FOR FURTHER INFORMATION CONTACT: Ms. Dixie Lee Pritchard, Houston Compliance Division Office, Minerals Management Service, 4141 North Sam Houston Parkway East, Houston, TX 77032; telephone (713) 546–4419; fax numbers (713) 546–6011; e-Mail Dixie.Lee.Pritchard@mms.gov or David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Minerals Management Service, P.O. Box 25165, MS 3021, Denver, CO 80225–

0165; telephone (303) 231–3432; fax number (303) 231–3385; e-Mail David.Guzy@mms.gov.

SUPPLEMENTARY INFORMATION: This meeting will be open to the public to discuss the proposed rule for appeals of MMS orders. The comment period for this proposed rule closes on March 15, 1999. The intent of the meeting is to provide information to, and receive comments from oil, gas, solid mineral and geothermal companies, trade associations, States, Indian mineral owners (tribes and individuals), and any other interested parties concerning the variety of issues contained in the proposed rule.

Space is limited. Attendees should reserve slots with Ms. Dixie Lee Pritchard at the telephone number in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than February 5, 1999. For building security measures, each person will be required to sign in and may be required to present a picture identification to gain entry to the meeting.

Dated: January 13, 1999.

Walter D. Cruickshank,

Associate Director for Policy and Management Improvement.

[FR Doc. 99–1266 Filed 1–20–99; 8:45 am]

BILLING CODE 4310–MR–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AZ 009–FIP FRL–6221–3]

RIN 2060–A122

Revision to Promulgation of Federal Implementation Plan for Arizona—Maricopa Nonattainment Area; PM–10

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Under the authority of section 110(c)(1) of the Clean Air Act (CAA or ''the Act''), EPA is proposing amendments to the moderate area federal implementation plan (FIP) for the Phoenix PM–10 nonattainment area (63 FR 41326, August 3, 1998). These amendments would modify the fugitive dust rule to add or replace certain test methods, include coverage of unpaved roads neither owned nor maintained by a public entity and allow alternative control measures (ACMs) to be implemented without prior EPA approval.

EPA recently established a new standard for PM–2.5 and also revised the PM–10 standards; however, today's action does not address those standards.

DATES: Written comments will be accepted until March 8, 1999. EPA does not currently plan on holding a public hearing. If EPA receives a significant number of requests for a public hearing on the contents of today's proposal, EPA will schedule and notify the public of the hearing in a separate notice.

ADDRESSES: Written comments on EPA's proposed FIP amendments must be received by EPA at the address below. Comments should be submitted (in duplicate if possible) to: EPA Region 9, 75 Hawthorne Street (AIR4), San Francisco, CA 94105, Attn. Karen Irwin.

A copy of docket No. A–98–42 containing material relevant to EPA's proposed action is available for review at: EPA Region 9, Air Division, 75 Hawthorne Street, San Francisco, CA 94105. Interested persons may make an appointment with Eleanor Kaplan (415) 744–1159 to inspect the docket at EPA's San Francisco office on weekdays between 9 a.m. and 4 p.m.

A copy of the docket No. A–98–42 is also available to review at the Arizona Department of Environmental Quality, Library, 3033 N. Central Avenue, Phoenix, Arizona 85012. (602) 207–2217.

Electronic Availability: This document is also available as an electronic file on EPA's Region 9 Air Web Page at http://www.epa.gov/region09/air.

FOR FURTHER INFORMATION CONTACT: Karen Irwin (415) 744–1903.

SUPPLEMENTARY INFORMATION:

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I. Purpose of Today's Proposal

On August 3, 1998 (63 FR 41326), EPA finalized a FIP for the Phoenix PM–10 nonattainment area (the ''final FIP''). Readers should refer to 63 FR 41326 for details of the history and contents of the final FIP.

The final FIP includes a fugitive dust rule to control PM–10 emissions from vacant lots, unpaved parking lots and unpaved roads codified at 40 CFR § 52.128 (63 FR 41326, 41350), hereafter referred to as ''the final FIP rule''.[1] Today's proposal addresses only the specific provisions related to the test methods, the alternative control measures (ACMs) and the unpaved road requirements of the final FIP rule as discussed below. EPA will accept comments only on the proposed amendments to these FIP rule provisions and not on any other aspects of the final FIP.

As promulgated on August 3, 1998 (63 FR 41326), the final FIP rule contains test methods for ascertaining compliance with the FIP's emission requirements. EPA has conducted additional technical field work in Phoenix on these test methods. While the test methods in the final FIP were the best available methods known to EPA at the time of promulgation, additional analysis has indicated others may be more accurate and comprehensive. In today's proposal, EPA is proposing and accepting comment on additional, new test methods for the FIP rule.

EPA is also proposing to eliminate the requirement to submit ACMs to EPA for approval in order to remove an unnecessary administrative burden on the regulated community. Finally, EPA is proposing to require privately owned and privately maintained unpaved roads to meet the same RACM requirements as roads that are owned or maintained by a public entity.

II. Summary of Proposed Amendments

A. Test Methods

1. Adding a Silt Content Test Method for Unpaved Roads and Unpaved Parking Lots

The final FIP rule contains an opacity standard of twenty (20) percent, or Ringlemann 1, for unpaved roads and unpaved parking lots. Compliance with this standard is to be tested using visible emissions test methods included in the final Phoenix FIP rule.[2] Field testing has identified certain circumstances where

[1] EPA promulgated the fugitive dust rule as part of its court-ordered obligation to provide for the implementation of Reasonably Available Control Measures (RACM) (required by section 189(a)(1)(C) of the Clean Air Act) in the Phoenix PM–10 nonattainment area.

[2] Reference Method 9 (40 CFR part 60, appendix A) and Methods 203A and 203C. Appendix A.I. to § 52.128 (63 FR 41326, 41353–41355).