

**Article VIII**

In the licensing and regulation of byproduct material as defined in Section 11e.(2) of the Act, or of any activity which results in production of such material, the State shall comply with the provisions of Section 274o of the Act. If in such licensing and regulation, the State requires financial surety arrangements for reclamation or long-term surveillance and maintenance of such material,

A. The total amount of funds the State collects for such purposes shall be transferred to the United States if custody of such material and its disposal site is transferred to the United States upon termination of the State license for such material or any activity which results in the production of such material. Such funds include, but are not limited to, sums collected for long-term surveillance or maintenance. Such funds do not, however, include monies held as surety where no default has occurred and the reclamation or other bonded activity has been performed; and

B. Such surety or other financial requirements must be sufficient to ensure compliance with those standards established by the Commission pertaining to bonds, sureties, and financial arrangements to ensure adequate reclamation and long-term management of such byproduct material and its disposal site.

**Article IX**

This Agreement shall become effective on July 22, 1999, and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII.

Done at Columbus, Ohio this (date to be determined).

For the United States Nuclear Regulatory Commission.

Chairman  
For the State of Ohio

Governor  
[FR Doc. 99-6057 Filed 3-10-99; 8:45 am]  
BILLING CODE 7590-01-P

**RAILROAD RETIREMENT BOARD**

**Proposed Collection; Comment Request**

**SUMMARY:** In accordance with the requirement of Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Title and Purpose of information collection:*

Continuing Disability Report; OMB 3220-0187

Under Section 2 of the Railroad Retirement Act, an annuity is not payable or is reduced for any month in which the annuitant works for a railroad

or earns more than prescribed dollar amounts from either non-railroad employment or self-employment. Certain types of work may indicate an annuitant's recovery from disability. The provisions relating to the reduction or non-payment of annuities by reasons of work and an annuitant's recovery from disability for work are prescribed in 20 CFR 220.17-220.20. The RRB conducts continuing disability reviews (CDR) to determine whether annuitants continue to meet the disability requirements of the law. Provisions relating to when and how often the RRB conducts CDR's are prescribed in 20 CFR 220.186.

Form G-254, *Continuing Disability Report*, is currently used by the RRB to develop information for CDR determinations, including determinations prompted by a report of work, return to railroad service, allegations of medical improvement, or routine disability call-up. The RRB proposes to add a question regarding impairment related work expenses to the self-employment section of Form G-254. Editorial changes to the certification statement and other minor cosmetic changes are also proposed. In addition, the RRB proposes the addition of a new form to the information collection. Proposed Form G-254a, *Continuing Disability Update Report*, will be used to help identify disability annuitants whose work activity and/or recent medical history warrants a more extensive review and thus completion of Form G-254. One response is requested of each respondent to Form G-254 and G-254a. Completion is required to retain a benefit.

*Estimate of Annual Respondent Burden*

The estimated annual respondent burden is as follows:

Form #(s)	Annual responses	Time (Min)	Burden (hrs)
G-254 .....	1,500	5-35	623
G-254a .....	2,000	5	167

**ADDITIONAL INFORMATION OR COMMENTS:** To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092. Written comments

should be received within 60 days of this notice.

**Chuck Mierzwa,**  
*Clearance Officer.*  
[FR Doc. 99-6039 Filed 3-10-99; 8:45 am]  
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**SECURITIES AND EXCHANGE COMMISSION**

[Investment Company Act Release No. 23725; 811-7995]

**Sirrom Funding Corporation; Notice of Application**

March 3, 1999.  
**AGENCY:** Securities and Exchange Commission ("SEC").  
**ACTION:** Notice of Application for Deregistration under section 8(f) of the

Investment Company Act of 1940 (the "Act").

**SUMMARY OF APPLICATION:** Applicant requests an order declaring that it has ceased to be an investment company.

**FILING DATES:** The application was filed on January 22, 1999. Applicant has agreed to file an amendment during the notice period, the substance of which is reflected in this notice.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 24, 1999, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

**ADDRESSES:** Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicant, 500 Church Street, Suite 200, Nashville, Tennessee 37219.

**FOR FURTHER INFORMATION CONTACT:** Diane L. Titus, Paralegal Specialist, at (202) 942-0584, or Mary Kay Frech, Branch Chief, at (202) 942-0564 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee from the Commission's Public Reference Branch, 450 Fifth Street, NW, Washington, DC 20549 (telephone (202) 942-8090).

#### **Applicant's Representations**

1. Applicant is a non-diversified closed-end management investment company incorporated in Delaware. On December 31, 1996, applicant filed a Notification of Registration under section 8(a) of the Act on Form N-8A, which was declared effective on the same date. As of December 31, 1998, applicants assets totaled \$225.2 million.

2. Applicant is a wholly-owned subsidiary of Sirrom Capital Corporation ("Sirrom Capital"). Sirrom Capital is a closed-end, internally managed investment company that has elected to be treated as a business development company ("BDC") pursuant to section 54 of the Act.

3. On January 6, 1999 Sirrom Capital entered into a merger agreement under which it will be acquired by The FINOVA Group Inc. ("FINOVA") pursuant to a merger with a newly formed subsidiary of FINOVA (the "parent Merger"). FINOVA is a financial services holding company that is exempt from regulation under the Act in reliance on section 3(c)(5) of the Act. Following the Parent Merger, Sirrom Capital will withdraw its election to be treated as a BDC.

4. The Parent Merger has been approved by the boards of directors, including all of the disinterested directors, of Sirrom Capital and applicant. The Parent Merger also is subject to approval by the shareholders of Sirrom Capital. The shareholders meeting to approve the Parent Merger is expected to take place on March 22, 1999. The proxy materials sent to the shareholders informed them, among other things, that applicant is seeking to deregister under the Act upon consummation of the Parent Merger. The Parent Merger is expected to be consummated on March 22, 1999.

#### **Applicant's Legal Analysis**

1. Section 8(f) of the Act provides that whenever the SEC, upon application or its own motion, finds that a registered investment company has ceased to be an investment company, the SEC shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

2. Section 3(c)(1) of the Act provides that an issuer is not an investment company within the meaning of the Act if (a) its outstanding securities (other than short-term paper) are beneficially owned by not more than 100 persons, and (b) it is not making and does not presently propose to make a public offering of its securities.

3. Applicant states that, upon consummation of the Parent Merger, applicant will be an indirect wholly-owned subsidiary of FINOVA. Thus, applicant states that its outstanding securities will be beneficially owned by 1 person, FINOVA. FINOVA is not an investment company or a company relying on section 3(c)(1) or section 3(c)(7) of the Act. For purposes of determining the number of beneficial owners of applicant's securities under section 3(c)(1), applicant states that it will not be required to "look through" FINOVA to its shareholders. Applicant further states that it is not making and does not presently propose to make a public offering of its securities. Thus, applicant seeks to deregister under the Act and rely on section 3(c)(1) of the Act. Applicant requests that the order of

deregistration be issued only after the Parent Merger is consummated as described in the application.

For the SEC, by the Division of Investment Management, under delegated authority.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 99-6003 Filed 3-10-99; 8:45 am]

BILLING CODE 8010-01-M

## **SECURITIES AND EXCHANGE COMMISSION**

[Investment Company Act Release No. 23724; 811-7779]

### **Sirrom Investments, Inc.; Notice of Application**

March 3, 1999.

**AGENCY:** Securities and Exchange Commission ("SEC").

**ACTION:** Notice of application for Deregistration under section 8(f) of the Investment Company Act of 1940 (the "Act").

**SUMMARY OF APPLICATION:** Applicant requests an order declaring that it has ceased to be an investment company.

**FILING DATES:** The application was filed on January 22, 1999. Applicant has agreed to file an amendment during the notice period, the substance of which is reflected in this notice.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 24, 1999, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

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**SUPPLEMENTARY INFORMATION:** The following is a summary of the