

upon by EPA in calculating or evaluating the HRS score for the site. These reference documents are available only in the Regional docket.

Interested parties may view documents, by appointment only, in the Headquarters or Regional Dockets, or copies may be requested from the Headquarters or Regional Dockets. An informal written request, rather than a formal request under the Freedom of Information Act, should be the ordinary procedure for obtaining copies of any of these documents. If you wish to obtain documents by mail from EPA Headquarters Docket, the mailing address is as follows: Docket Coordinator, Headquarters, U.S. EPA CERCLA Docket Office (Mail Code 5201G), 1401 M Street, SW., Washington, DC 20460, 703/603-8917. (Please note this is the mailing address only. If you wish to visit the HQ Docket to view documents, see viewing address above.)

II. Contents of This Action

This action promulgates a final rule to add 1 site to the General Superfund Section of the NPL. This site is Southern Shipbuilding in Slidell, Louisiana which was proposed on February 13, 1995 in NPL Proposal #18 (60 FR 8212) based on an HRS score of 28.5 or greater. The group number identified for this site is 5/6. Group numbers are determined by arranging the NPL by rank and dividing it into groups of 50 sites. For example, a site in Group 4 has a score that falls within the range of scores covered by the fourth group of 50 sites on the NPL.

Public Comments

EPA reviewed all comments received on the site included in this notice. The formal comment period ended on April 14, 1995.

EPA's response to site-specific public comments and explanations of any score changes made as a result of such comments are addressed in the "Support Document for the Revised National Priorities List Final Rule—May 1995."

III. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866 review.

IV. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a written statement to accompany any rules that have "Federal

mandates" that may result in the expenditure by the private sector of \$100 million or more in any one year. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objective of such a rule and that is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly and uniquely affected by the rule.

The Unfunded Mandates Act defines a "Federal private sector mandate" for regulatory purposes as one that, among other things, "would impose an enforceable duty upon the private sector." EPA finds that today's listing decision does not impose any enforceable duties upon the private sector since inclusion of a site on the NPL does not itself impose any costs. It does not establish that EPA necessarily will undertake remedial action, nor does it require any action by a private party or determine its liability for site response costs. Costs that arise out of site responses result from site-by-site decisions about what actions to take, not directly from the act of listing itself. Therefore, today's rulemaking is not a "Federal private sector mandate" and is not subject to the requirements of sections 202 or 205 of the Unfunded Mandates Act. As to Section 203 of this Act, EPA finds that small governments will not be significantly and uniquely affected by this rulemaking.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous materials, Intergovernmental relations, Natural resources, Oil pollution, Reporting and recordkeeping requirements, Superfund, Waste treatment and disposal, Water pollution control, Water supply.

Dated: May 22, 1995.

Elliott P. Laws,

Assistant Administrator, Office of Solid Waste and Emergency Response.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for Part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

2. Appendix B to Part 300 is amended by adding the Southern Shipbuilding site in Slidell, Louisiana, to Table 1,

General Superfund Section, in alphabetical order.

[FR Doc. 95-12995 Filed 5-25-95; 8:45 am]
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

45 CFR Part 60

RIN 0905-AE53

National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners; Payment of Fees

AGENCY: Health Resources and Services Administration, PHS, HHS.

ACTION: Final rule.

SUMMARY: This final rule amends the existing regulations governing the National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners (the Data Bank) authorizing the reporting and release of information concerning: Payments made for the benefit of physicians, dentists, and other health care practitioners as a result of medical malpractice actions or claims; and certain adverse actions taken regarding the licenses and clinical privileges of physicians and dentists. This final rule removes restrictions on allowed methods of payment for Data Bank fees. **EFFECTIVE DATE:** This regulation is effective May 26, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas C. Croft, Director, Division of Quality Assurance, Bureau of Health Professions, Health Resources and Services Administration, Room 8A-55, 5600 Fishers Lane, Rockville, Maryland 20857; telephone number (301) 443-2300.

SUPPLEMENTARY INFORMATION: This final rule amends the existing regulations for the National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners under 45 CFR part 60. Section 60.12(c)(1) and (2) currently state that requests to the Data Bank constitute an agreement to pay the established user fee and that the billing of such use will be made during established intervals. Section 60.12(c)(3) currently states that Data Bank fees must be paid by check or money order made payable to the U.S. Department of Health and Human Services. The Department has removed these regulatory restrictions on allowable methods of payment to permit the Secretary to announce alternate

payment methods through periodic notice in the **Federal Register**.

Paragraph (c)(4) is being redesignated as (c) and revised to allow the Data Bank the flexibility: (1) to streamline and automate its approach to fee collection; and (2) to offer a greater variety of payment options to its users, thereby improving customer service. Paragraphs (c)(1), (2), and (3) are deleted.

Justification for Omitting Notice of Proposed Rulemaking

Since these amendments to the Data Bank regulations are of a technical nature and only amend the regulations to reflect the fee payment practices of the Data Bank, the Secretary has determined, pursuant to 5 U.S.C. 553 and departmental policy that it is unnecessary and impractical to follow proposed rulemaking procedures or to delay the effective date of these regulations.

Economic Impact

Executive Order 12866 requires that all regulations reflect consideration of alternatives, of costs, of benefits, or incentives, of equity, and of available information. Regulations must meet certain standards, such as avoiding unnecessary burden. Regulations which are "significant" because of cost, adverse effects on the economy, inconsistency with other agency actions, effects on the budget, or novel legal or policy issue, require special analysis.

The Department believes that the resources required to implement the requirements in these regulations are minimal. This final rule simply removes restrictions on the number of options available to users of the Data Bank. Therefore, in accordance with the Regulatory Flexibility Act of 1980, the Secretary certifies that these regulations will not have a significant impact on a substantial number of small entities. For the same reasons, the Secretary has also determined that this is not a "significant" rule under Executive Order 12866.

Paperwork Reduction Action of 1980

These amendments do not affect the recordkeeping or reporting requirements in the existing regulations for the National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners.

List of Subjects in 45 CFR Part 60

Health professions, Insurance companies, Malpractice, Reporting and recordkeeping requirements.

Dated: April 11, 1995.

Philip R. Lee,
Assistant Secretary for Health.

Approved: May 19, 1995.

Donna E. Shalala,
Secretary.

Accordingly, 45 CFR part 60 is amended as set forth below:

PART 60— NATIONAL PRACTITIONER DATA BANK FOR ADVERSE INFORMATION PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS

1. The authority citation for 45 CFR part 60 continues to read as follows:

Authority: Secs. 401–432 of the Health Care Quality Improvement Act of 1986, Pub. L. 99–660, 100 Stat. 3784–3794, as amended by section 402 of Pub. L. 100–177, 101 Stat. 1007–1008 (42 U.S.C. 11101–11152.)

2. Section 60.12 is amended by revising paragraph (c) to read as follows:

§ 60.12 Fees applicable to requests for information.

* * * * *

(c) *Assessing and collecting fees.* The Secretary will announce through notice in the **Federal Register** from time to time the methods of payment of Data Bank fees. In determining these methods, the Secretary will consider efficiency, effectiveness, and convenience for the Data Bank users and the Department. Methods may include: credit card; electronic fund transfer; check; and money order.

[FR Doc. 95–12907 Filed 5–25–95; 8:45 am]

BILLING CODE 4160–15–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 94–51; RM–8466]

Radio Broadcasting Services; Mamou and Jonesville, LA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission adopts a petition for reconsideration filed by Simla B. Ellis, d/b/a SoTo Broadcasting, permittee of Station KAHK(FM), Channel 266A, Mamou, Louisiana. The Commission substitutes Channel 266C3 for Channel 266A at Mamou, Louisiana, and modifies the construction permit of Station KAHK(FM) to specify operation on the higher powered channel. To accommodate the upgrade at Mamou, the Commission also substitutes

Channel 286A for vacant Channel 266A at Jonesville, Louisiana. See 59 FR 51153, October 7, 1994. Both channels can be allotted in compliance with the Commission's minimum distance separation requirements. Channel 266C3 at Mamou has a site restriction of 12.2 kilometers (7.6 miles) east to accommodate Ellis' desired site. The coordinates for Channel 266C3 at Mamou are North Latitude 30–39–42 and West Longitude 92–17–52. The coordinates for Channel 286A at Jonesville are North Latitude 31–35–38 and West Longitude 91–45–23.

With this action, this proceeding is terminated.

EFFECTIVE DATE: July 7, 1995.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Memorandum Opinion and Report*, MM Docket No. 94–51, adopted May 11, 1995, and released May 23, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Sec. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 266A and adding Channel 266C3 at Mamou; and by removing Channel 266A and adding Channel 286A at Jonesville.

Federal Communications Commission.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95–12959 Filed 5–25–95; 8:45 am]

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