

By the Federal Housing Finance Board.

Bruce A. Morrison,
Chairman.

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FEDERAL HOUSING FINANCE BOARD

Sunshine Act Meeting

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 62 FR 15895, April 3, 1997.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 A.M. Wednesday, April 9, 1997.

CANCELLATION OF THE MEETING: Notice is hereby given of the cancellation of the Board of Directors meeting scheduled for April 9, 1997.

CONTACT PERSON FOR MORE INFORMATION: Elaine L. Baker, Secretary to the Board, (202) 408-2837.

Bruce A. Morrison,
Chairman.

[FR Doc. 97-9644 Filed 4-10-97; 11:53 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Site Registration Fee Schedule and Related Matters for Facilities Transferring or Receiving Select Agents

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Centers for Disease Control and Prevention is announcing its site registration fee schedule for facilities registered under 42 CFR 72.6. This notice includes the total fee for facilities in three categories, small, medium, and large. The fee is broken down into subtotals that illustrate how the agency derived the total fee. In return for the fee, the facility receives a 3 year site registration and is subject to inspection during that time period. Also included in this notice is clarification of the exemption of certain toxins, as well as clarification of biosafety levels for certain viruses in the regulation.

DATES: Effective date is April 15, 1997.

FOR FURTHER INFORMATION CONTACT: Lynn Myers, Office of Health and Safety, Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., MS-F05, Atlanta, GA 30333, telephone (404) 639-3235.

SUPPLEMENTARY INFORMATION:

Background

"The Antiterrorism and Effective Death Penalty Act of 1996," enacted on April 24, 1996, established new provisions to regulate transfer of hazardous agents, and required HHS to issue rules to implement these provisions. The final rule was published in the **Federal Register** on October 24, 1996 and will become effective April 15, 1997. To comply with the final rule, commercial suppliers of select agents, as well as government agencies, universities, research institutions, individuals, and private companies that transfer or obtain these agents, must register with the Centers for Disease Control and Prevention (CDC). The rule also authorizes CDC to inspect those facilities seeking registration to determine whether the applicant facility meets the appropriate biosafety level requirements. In return for the certification and inspection, facilities are responsible for a site registration fee. This notice lays out those fees and provides technical clarification of related matters in the regulation.

Site Registration Fees

According to 42 CFR 72.6(a)(2)(iv), registration of a facility is to include "[c]ollection of a periodic site registration fee by [CDC]. A schedule of fees collected by [CDC] to cover the direct costs (e.g., salaries, equipment, travel) and indirect costs (e.g., rent, telephone service and a proportionate share of management and administration costs) related to administration of this part will be published in the **Federal Register** and updated annually."

Definitions

A facility is defined in 42 CFR 72.6(j) as "any individual or government agency, university, corporation, company, partnership, society, association, firm, or other legal entity located at a single geographic site that may transfer or receive through any means a select agent subject to this part." For the purpose of assessing the site registration fees, facilities are broken down into three categories, small, medium, and large, depending upon the size of the facility, the number of personnel working in the facility, and the amount of work done in the facility.

A small facility has one laboratory area (one biological safety cabinet (BSC) and supporting supplies and equipment) or one room housing one or more animals (animal room) doing work with one select agent, or group of closely related select agents, at one

biosafety level (BSL), by one principal investigator and his/her support staff. If the one laboratory area is used by more than one principal investigator or for more than one select agent/group of closely related select agents, the facility is a medium facility.

A medium facility has laboratory areas and animal rooms that in combination total between two and five. All laboratories must be under the supervision of one responsible facility official and must be located in the same single geographic site. These laboratories shall be used by no more than five principal investigators and their support staffs, for work on no more than five select agents/groups of closely related select agents during the three year registration period. If more than five principal investigators work in the laboratories or more than five select agents (or groups of closely related select agents) are used, the facility is a large facility.

A large facility has laboratory areas and animal rooms that in combination total more than five. All laboratories must be under the supervision of one responsible facility official and must be located in the same single geographic site.

Any facility working with select agents at BSL 4, whether small, medium or large, is assessed an additional fee. In addition, any facility that makes more than 50 select agent transfers per year, whether small, medium or large, is assessed an additional fee.

Fee Schedule

Site registration fees for facilities registering before March 31, 1998 will be as follows:

Small Facility, \$13,000

Medium Facility, \$14,000

Large Facility, \$15,000

Biosafety Level 4 Laboratory—add \$2,000 to facility fee

More than 50 select agent transfers per year—add \$1,000 to facility fee

The fee and site registration covers a three year time period. The fee is due at the time of application for registration.

Cost Estimates on Which Fees Are Based

Site registration fees listed above are based on cost estimates for administering the program for the three year period 1997-99. We estimate that there will be approximately 50 small facilities, 100 medium facilities and 50 large facilities registered. The fee cost calculation is based on an estimate of contractor and government costs.

A contractor will carry out most activities related to facility registration,