

actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: October 21, 1999.

**Chuck Clarke,**

*Regional Administrator, Region 10.*

For the reasons set out in the preamble, 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.

#### Appendix B—[Amended]

2. Table 1 of Appendix B to part 300 is amended by removing “Pacific Hide & Fur Recycling Co., Pocatello, Idaho.”

[FR Doc. 99–28542 Filed 11–3–99; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

#### 42 CFR Parts 409, 411, 413, and 489

[HCFA–1913–CN]

RIN 0938–A147

#### Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities; Correction

**AGENCY:** Health Care Financing Administration (HCFA), HHS.

**ACTION:** Correction of final rule.

**SUMMARY:** This document corrects a technical error that appeared in the final rule published in the **Federal Register** on July 30, 1999 entitled “Medicare Program; Prospective Payment System

and Consolidated Billing for Skilled Nursing Facilities.”

**EFFECTIVE DATE:** This correction is effective September 28, 1999.

**FOR FURTHER INFORMATION CONTACT:** Bill Ullman, (410) 786–5667.

#### SUPPLEMENTARY INFORMATION:

##### Background

In FR Doc. 99–19478 of July 30, 1999 (64 FR 41644), there was a technical error in the preamble. This error relates to the counting of minutes of therapy provided by a therapy student on the Minimum Data Set (MDS) resident assessment instrument. The correction appears in this document under the heading “Correction of Errors.”

In the preamble to the final rule (page 41661, column 2) we stated, “Medicare recognizes the costs associated with approved educational activities as a pass-through” and referenced regulations at 42 CFR 413.85 that refer to the costs incurred by approved medical education programs. Based on this section of the regulations, we indicated that the minutes of therapy provided by a therapy student may not be recorded on the MDS resident assessment instrument of the beneficiary receiving the service.

However, in this notice we are now retracting our statement with regard to recording of therapy minutes because, contrary to what was indicated in the preamble, § 413.85 (Cost of educational activities) is not applicable to therapy student field experience in the skilled nursing facility (SNF) setting. Except for possible rare instances, SNFs are not approved medical education programs under that section of the regulations. Approved programs, such as a residency program operated by the institution in which it takes place, are actively engaged in the training process and incur costs in that regard. By contrast, SNFs provide only the setting in which the training for these students takes place, not the management of the program itself. Because § 413.85 does not apply, our statement as to the counting of student therapy minutes is also inapplicable.

We are, therefore, retracting the statement in the final rule that the minutes of therapy provided by a therapy student are not to be recorded on the MDS as minutes of therapy received by the beneficiary. Providers should record the minutes of therapy provided by therapy students in accordance with the past practice established under the instructions in the *Long Term Care Resident Assessment Instrument User’s Manual* and other HCFA guidelines.

The provision in this correction notice is effective as if it had been included in the document published in the **Federal Register** on July 30, 1999, that is September 28, 1999.

#### Correction of Errors

In FR Doc. 99–19478 of July 30, 1999 (64 FR 41644), we are making the following correction:

#### Correction to Preamble

On page 41661, in column 2, line 18, the following sentence is removed: “Further, none of the minutes of therapy services provided by the students may be recorded on the MDS as minutes of therapy received by the beneficiary.”

(Authority: Section 1888 of the Social Security Act (42 U.S.C. 1395yy))

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: October 20, 1999.

**Brian P. Burns,**

*Deputy Assistant Secretary for Information Resources Management.*

[FR Doc. 99–28575 Filed 11–3–99; 8:45 am]

BILLING CODE 4120–01–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 0, 1, 61 and 69

[CC Docket Nos. 96–262, 94–1, 98–157; CCB/CPD File No. 98–63; FCC 99–206]

#### Access Charge Reform; Price Cap Performance Review for Local Exchange Carriers

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** The document announces the effective date of the rules published September 22, 1999, in the Commission’s Access Charge Reform proceeding. The Commission revised the rules that govern the provision of certain interstate access services by price cap local exchange carriers. With these revisions, the Commission continues to reform the regulation of interstate access charges to accelerate the development of competition and to ensure that the Commission’s regulations do not unduly interfere with the operation of these markets as competition develops.

**DATES:** The amendments to 47 CFR 1.774, 61.47, 69.709, 69.711, 69.713, and 69.729, published at 64 FR 51258

(September 22, 1999), are effective November 4, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Tamara Preiss, Deputy Division Chief, Common Carrier Bureau, Competitive Pricing Division, (202) 418-1520. For additional information concerning the information collections, contact Judy Boley at 202-418-0214, or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** On August 27, 1999, the Commission released its Fifth Report and Order in its Access Charge Reform Proceeding, CC Docket No. 96-262, a summary of which was published in the **Federal Register**. See 64 FR 51258, September 22, 1999. 47 CFR 1.774, 61.47, 69.709, 69.711, 69.713, and 69.729, as amended, contain modified information collection requirements. We stated that "the Commission will publish a document in the **Federal Register** announcing the effective date" of those rules. The information collections were approved by OMB on October 18 and October 20, 1999. See OMB 3060-0526, 3060-0760, and 3060-0770. By this publication, the Commission announces that these rules are effective November 4, 1999.

**List of Subjects**

*47 CFR Part 0*

Organization and functions.

*47 CFR Part 1*

Administrative practice and procedure, Communications common carriers, Telecommunications.

*47 CFR Part 61*

Communications common carriers, Telephone.

*47 CFR Part 69*

Communications common carriers, Telephone.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 99-28794 Filed 11-3-99; 8:45 am]

BILLING CODE 6712-01-P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 2 and 90**

[FCC 99-85; WT Docket No. 96-86]

**Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration.

**SUMMARY:** This document modifies the provisions governing the newly reallocated public safety spectrum at 764-776 MHz band and 794-806 MHz. The action was taken in response to petitions for reconsideration of a previous Commission order. These modifications are intended to provide the National Coordination Committee (NCC) the flexibility to proceed more efficiently without constraints that may have unnecessarily delayed the completion of its work to address and advise the Commission on certain public safety communication matters. The document also provides new procedures that will promote competition in the market for public safety communications equipment.

**DATES:** Effective January 3, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room 4-C207, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**

Michael Pollak, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, at (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Memorandum Opinion and Order on Reconsideration* in WT Docket No. 96-86, FCC 99-85, adopted April 26, 1999, and released May 4, 1999. The full text of the *Memorandum Opinion and Order on Reconsideration* is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The full text of the *Memorandum Opinion and Order on Reconsideration* may also be purchased from the Commission's copy contractor, International Transcription Services, 1231 20th Street, N.W., Washington, D.C. 20036, telephone (202) 857-3800, facsimile (202) 857-3805. The full text of the *Memorandum Opinion and Order on Reconsideration* may also be downloaded at: <http://www.fcc.gov/Bureaus/Wireless/Orders/1999/fcc99085.wp>. Alternative formats (computer diskette, large print, audiocassette, and Braille) are available to persons with disabilities by contacting Martha Contee at (202) 418-2555, or at [mcontee@fcc.gov](mailto:mcontee@fcc.gov).

**Synopsis of the Memorandum Opinion and Order on Reconsideration**

This *Memorandum Opinion and Order (MO&O)* modifies a *First Report and Order and Third Notice of Proposed Rulemaking*, 63 FR 58645 (November 2, 1998) (*First Report and Order*), which

established a band plan and adopted service rules in the newly reallocated public safety spectrum at 764-776 MHz and 794-806 MHz, in three respects. First, the Commission is expanding the standards development options available to the National Coordination Committee (NCC) by providing that the NCC may, but is not required to, become accredited by the American National Standards Institute (ANSI). In this regard, we also clarify that the NCC is allowed to make use of and base its recommendations on the standards development work of other existing ANSI-accredited Standards Developers (ASDs). This expands the options available to the NCC for developing the standards it is required to recommend under the provisions of the *First Report and Order*. ANSI states, from its experience, that development and approval of an individual standard as an American National Standard can take from six months to three years and the NCC is required to complete its work within four years. These new options could potentially save time by allowing the NCC to build on standards work already accomplished or by allowing other technical standards development work to begin immediately, under ANSI procedures, without the necessity of waiting for the potentially lengthy process of accreditation of the NCC itself.

Second, the Commission is rescinding the requirement that the fees and terms of license agreements involving proprietary technologies contained in NCC-recommended standards be approved by ANSI. ANSI is not an appropriate entity to approve proprietary technology license terms and fees involved with standards recommended by the NCC because such a role for ANSI would not meet with the approval of the voluntary standards community.

Third, the Commission is implementing a self-policing policy similar to the ANSI patent policy that is structured to adequately protect the rights of both intellectual property right holders and consensus standard users while at the same time encouraging competition. Proprietary technology may be incorporated, however the Commission will require the owner or holder of the rights to proprietary technologies to file a statement with the NCC indicating that they will make such rights available to applicants either without cost or without unfair discrimination.

The changes provided in the *MO&O* will allow the work of the NCC to proceed in a timely fashion, with the flexibility to operate more efficiently,