

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7003-5]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) Region VIII proposes to delete the residential soil portions of the Jacobs Smelter Superfund Site, Utah, known as Operable Unit One (OU1), from the National Priorities List and requests public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This action is being taken because EPA, with concurrence from the Utah Department of Environmental Quality (UDEQ), has determined that all appropriate response actions have been taken and that no further response at OU1 is appropriate.

A detailed rationale for this Proposal to Delete is set forth in the direct final rule which can be found in the Rules and Regulations section of this **Federal Register**. The direct final rule is being published because EPA views this deletion action as a noncontroversial revision and anticipates no significant adverse or critical comments. If no significant adverse or critical comments are received, no further activity is contemplated. If EPA receives significant adverse or critical comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period.

Any parties interested in commenting should do so at this time.

**DATES:** Comments concerning this action must be received by EPA on or before August 6, 2001.

**ADDRESSES:** Comments may be mailed to: Mr. Jim Christiansen, Remedial Project Manager, U.S. EPA Region VIII, EPR-SR, 999 18th Street, Suite 300, Denver, CO 80202, (303) 312-6748. Email: christiansen.jim@epa.gov.

**Information Repositories:** Comprehensive information on the Jacobs Smelter Site as well as information specific to this proposed partial deletion is available for review at EPA's Region VIII office in Denver, Colorado. The Administrative Record for OU1 and the Deletion Docket for this partial deletion are maintained at the following information repositories: U.S. EPA Region VIII, Superfund Records Center, 5th Floor, 999 18th Street, Denver, Colorado, 80202, (303) 312-6473, Hours of Operation: M-F 8:00 a.m. to 4:30 p.m. Tooele County Library, 100 West Vine Street, Tooele, Utah, 84074.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Christiansen, Remedial Project Manager, U.S. EPA Region VIII, EPR-SR, 999 18th Street, Suite 300, Denver, CO 80202, (303) 312-6748. Email: christiansen.jim@epa.gov.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules and Regulations section of this **Federal Register**.

**Authority:** 33 U.S.C. 1312(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.

Dated: June 15, 2001.

**Patricia D. Hull,**

*Acting Regional Administrator, U.S. Environmental Protection Agency, Region VIII.*

[FR Doc. 01-16435 Filed 7-3-01; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

#### 42 CFR Parts 416, 482, and 485

[HCFA-3070-P]

RIN 0938-AK95

#### Medicare and Medicaid Programs; Hospital Conditions of Participation: Anesthesia Services

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

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would amend the physician supervision requirement for certified registered nurse anesthetists furnishing anesthesia services in hospitals, critical access hospitals, and ambulatory surgical centers that participate in the Medicare and Medicaid programs. Under this proposed rule, the current physician supervision requirement would be maintained, unless the Governor of a State, in consultation with the State's Boards of Medicine and Nursing, exercises the option of exemption from this requirement, consistent with State law.

These proposed changes are an integral part of our efforts to improve the quality of care furnished through Federal programs, while at the same time recognizing a State's traditional domain in establishing professional licensure and scope-of-practice laws. It will give States the flexibility to improve access and address safety issues.

**DATES:** We will consider comments if we receive them at the appropriate address, as provided below, no later than 5 p.m. on September 4, 2001.

**ADDRESSES:** Mail written comments (1 original and 3 copies) to the following address only: Health Care Financing Administration, Department of Health and Human Services, Attention: HCFA-3070-P, P.O. Box 8013, Baltimore, MD 21207-8013.

To ensure that mailed comments are received in time for us to consider them, please allow for possible delays in delivering them.

If you prefer, you may deliver (by hand or courier) your written comments (1 original and 3 copies) to one of the