

Unfunded Mandates Reform Act of 1995 (Public Law 104-4). This rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

List of Subjects

40 CFR Part 52

Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

40 CFR Part 62

Administrative practice and Procedures, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements, Waste treatment and disposal.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 15, 2001.

Robert W. Varney,

Regional Administrator, EPA New England.

[FR Doc. 01-21442 Filed 8-23-01; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 140

[FRL-7043-1]

Extension of Comment Period for Proposed Rule To Establish a No Discharge Zone (NDZ) for State Waters Within the Boundaries of the Florida Keys National Marine Sanctuary (FKNMS)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA is proposing to establish a NDZ for State Waters within the boundaries of the FKNMS pursuant to section 312(f)(4)(A) of the Clean Water Act. This proposed rule was published in the **Federal Register** on July 26, 2001 (66 FR 38967-38969). In response to concerns from the boating community, the comment period for this action will be extended for an additional 60 days, from August 27, 2001, to October 26, 2001.

DATES: Comments must now be submitted to EPA on or before October 26, 2001.

ADDRESSES: Written comments or requests for information may be submitted to Wesley B. Crum, Chief, Coastal Section, EPA Region 4, 61 Forsyth Street, Atlanta, Georgia 30303-8960.

FOR FURTHER INFORMATION CONTACT: Wesley B. Crum at (404) 562-9352.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 01-21445 Filed 8-23-01; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 416, 482, and 485

[CMS-3070-CN]

RIN 0938-AK95

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

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Correction notice.

SUMMARY: This document corrects a technical error that appeared in the proposed rule published in the **Federal Register** on July 5, 2001 entitled, "Medicare and Medicaid Programs; Hospital Conditions of Participation: Anesthesia Services."

DATE: This correction is made on August 24, 2001.

FOR FURTHER INFORMATION CONTACT: Stephanie Dyson, RN (410) 786-9226; Jeannie Miller, RN (410) 786-3164.

SUPPLEMENTARY INFORMATION:

Background

In the July 5, 2001 proposed rule entitled, "Hospital Conditions of Participation: Anesthesia Services," there was a technical error in the preamble.

In the first sentence of the **ADDRESSES** section, we listed an incorrect zip code for the mailing address for submission of written comments on the proposed regulation. We are correcting the zip code for the comments from 21207-8013 to 21244-8013. The complete address for written, mailed comments is: Health Care Financing Administration, Department of Health and Human Services, Attention: HCFA-3070-P, P.O. Box 8013, Baltimore, MD 21244-8013.

Correction of Errors

In FR Doc. 01-16964 of July 5, 2001 (66 FR 35395), we are making the following correction:

Corrections to Preamble

In the first sentence of the **ADDRESSES** section (page 35395), we are correcting the zip code for mailed comments from 21207-8013 to 21244-8013.

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

(Catalog of Federal Domestic Assistance Program No. 93.733, Medicare—Hospital Insurance; and Program No.

93.744, Medicare—Supplementary Medical Insurance Program)

Dated: August 21, 2001.

Brian P. Burns,

Deputy Assistant Secretary of Information Resources Management.

[FR Doc. 01-21574 Filed 8-23-01; 8:45 am]

BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-1862; MM Docket No. 01-179, RM-10199; MM Docket No. 01-180, RM-10200; MM Docket No. 01-181, RM-10201; MM Docket No. 01-182, RM-10202]

Radio Broadcasting Services; Port St. Joe, FL; Holdenville, OK; Wapanucka, OK; and Clarksville, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes four allotments. The Commission requests comments on a petition filed by Cecil P. Staton, proposing the allotment of Channel 242A at Port St. Joe, Florida, as the community's second local aural transmission service. Channel 242A can be allotted to Port St. Joe in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.1 km (1.3 miles) southeast of Port St. Joe. The coordinates for Channel 242A at Port St. Joe are 29-48-00 North Latitude and 85-17-03 West Longitude. The Commission requests comment on a petition filed by Katherine Pyeatt proposing the allotment of Channel 265A at Holdenville, Oklahoma, as the community's first local competing FM transmission service. Channel 265A can be allotted to Holdenville in compliance with the Commission's minimum distance separation requirements with a site restriction of 10.6 km (6.6 miles) west of Holdenville. The coordinates for Channel 265A at Holdenville are 35-04-53 North Latitude and 96-31-00 West Longitude.

The Commission further requests comment on a petition filed by Katherine Pyeatt proposing the allotment of Channel 298A at Wapanucka, Oklahoma, as the community's first local aural transmission service. Channel 298A can be allotted to Wapanucka in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.9 km (1.8 miles) west of Wapanucka. The coordinates for Channel 298A at Wapanucka are 34-21-

54 North Latitude and 96-23-47 West Longitude. The Commission further requests comment on a petition filed by Katherine Pyeatt proposing the allotment of Channel 294A at Clarksville, Texas, as the community's first local competing FM transmission service. Channel 294A can be allotted to Clarksville at center city coordinates in compliance with the Commission's minimum distance separation requirements. The coordinates for Channel 294A at Clarksville are 33-36-36 North Latitude and 95-03-06 West Longitude.

DATES: Comments must be filed on or before September 24, 2001, and reply comments on or before October 9, 2001.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Cecil P. Staton, 6316 Peake Road, Macon, GA 31210; and Katherine Pyeatt, 6655 Aintree Circle, Dallas, TX 75214.

FOR FURTHER INFORMATION CONTACT: Deborah A. Dupont, Mass Media Bureau (202) 418-7072.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket Nos. 01-179, 01-180, 01-181, and 01-182, adopted July 25, 2001, and released August 3, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, S.W., Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, N.W., Washington, D.C. 20036.

The Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications

Commission proposes to amend 47 CFR Part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

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

Authority: 47 U.S.C. §§ 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by adding Channel 242A at Port St. Joe.

3. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by adding Channel 265A at Holdenville and adding Wapanucka, Channel 298A.

4. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 294A at Clarksville.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01-21408 Filed 8-23-01; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA No. 01-1906; MM Docket No. 01-186, RM-9976]

Radio Broadcasting Services; Honor, Bear Lake, Ludington & Waihalia, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Northern Radio of Michigan, Inc. proposing the substitution of Channel 264C3 for Channel 264A at Honor, Michigan, and modification of the license for Station WIAR to specify operation on Channel 264C3. The coordinates for Channel 264C3 at Honor are 44-37-25 and 86-00-19. To accommodate the allotment at Honor, we shall propose the substitution of Channel 2291A for Channel 261A at Bear Lake, Michigan, and modification of the license for Station WSRQ to specify operation on Channel 291A at coordinates 44-17-30 and 86-13-30; substitution of Channel 254A for Channel 292A at Ludington, Michigan, and modification of the license for Station WKLA at coordinates 44-03-27 and 86-24-58; and substitution of