

Category	NAICS	SIC	Examples of regulated entities
	211112 221	1321 4931	Natural gas liquids. Electric and other services, combined.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. If you have questions regarding the applicability of this action to a particular entity, consult the contact person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Submitting CBI. Do not submit this information to EPA through <http://www.regulations.gov> or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

Public Hearing. If a public hearing is held, it will be held at 10 a.m. at the EPA Facility Complex in Research Triangle Park, NC, or at an alternate site nearby. Persons interested in presenting oral testimony or inquiring as to whether a hearing is to be held should contact Ms. Pamela Garrett, EPA, Office of Air Quality Planning and Standards, Emission Standards Division, Combustion Group (C439-01), Research Triangle Park, NC 27711, telephone number (919) 541-7966, e-mail address: garrett.pamela@epa.gov, at least 2 days in advance of the potential date of the public hearing. Persons interested in attending the public hearing must also call Ms. Garrett to verify the time, date, and location of the hearing. The public hearing will provide interested parties the opportunity to present data, views, or arguments concerning these proposed emission standards.

Worldwide Web (WWW). In addition to being available in the docket, an electronic copy of today's proposal will also be available through the WWW. Following the Administrator's signature, a copy of this action will be posted on EPA's Technology Transfer Network (TTN) policy and guidance page for newly proposed or promulgated rules at

<http://www.epa.gov/ttn/oarpg/>. The TTN at EPA's Web site provides information and technology exchange in various areas of air pollution control.

Statutory and Executive Order Reviews

For a complete discussion of all of the administrative requirements applicable to this action, see the direct final rule in the Rules and Regulations sections of today's **Federal Register**.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of the proposed rule on small entities, small entity is defined as: (1) A small business whose parent company has fewer than 100 or 1,000 employees, or fewer than 4 billion kilowatt-hour per year of electricity usage, depending on the size definition for the affected North American Industry Classification System (NAICS) code; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field. It should be noted that small entities in six NAICS codes may be affected by the proposed rule amendments, and the small business definition applied to each industry by NAICS code is that listed in the Small Business Administration size standards (13 CFR part 121).

After considering the economic impacts of the proposed rule amendments on small entities, I certify that today's action will not have a significant economic impact on a substantial number of small entities. This conclusion is based on the fact that today's action does not impose any new requirements in the 40 CFR part 60, subpart GG regulations. Furthermore,

the stringency of the emission standards is not affected by this action. We continue to be interested in the potential impacts of the proposed rule on small entities and welcome comments on issues related to such impacts.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Reporting and recordkeeping requirements.

Dated: January 20, 2006.

Stephen L. Johnson,

Administrator.

[FR Doc. 06-1742 Filed 2-23-06; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare and Medicaid Services

42 CFR Parts 412 and 413

[CMS-1306-CN]

RIN 0938-AN82

Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment Update for Rate Year Beginning July 1, 2006 (RY 2007); Correction and Extension of Comment Period

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

ACTION: Proposed rule; correction and extension of comment period.

SUMMARY: This document corrects technical errors that appeared in the proposed rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment Update for Rate Year Beginning July 1, 2006 (RY 2007)." This correction notice also extends the public comment period for an additional 60 days, to allow the public an opportunity to comment on the correct Electroconvulsive Therapy (ECT) payment policy.

DATES: The comment period for the ECT payment policy is extended to 5 p.m. on April 25, 2006.

FOR FURTHER INFORMATION CONTACT: Matthew Quarrick, (410) 786-9867.

SUPPLEMENTARY INFORMATION:**I. Background**

In FR. Doc. 06–488 of January 23, 2006 (71 FR 3616), there were several technical errors that we identify in the “Summary of Errors” section and correct in the “Correction of Errors” section below.

On February 2, 2006, immediately after discovering the error in the ECT payment policy, we released a message on the Inpatient Psychiatric Facilities (IPF) Prospective Payment System (PPS) listserv. In addition, on February 6, 2006, we posted a message on our IPF PPS Web site indicating the error (<http://www.cms.hhs.gov/InpatientPsychFacilPPS>).

The comment period for the proposed rule closes on March 14, 2006. However, we are extending the comment period for the ECT payment policy in order to give the public an opportunity to comment on the correct policy. The comment period for the ECT policy will close on April 7, 2006.

II. Summary of Errors

In the January 23, 2006 proposed rule, on page 3616, we inadvertently omitted the “Regulations Identification Number (RIN), which is used to identify and track regulations. On page 3632, Table 11 includes the adjustment factors for comorbidity categories. We incorrectly identified the “Tracheostomy comorbidity” category as the “Tracheotomy category.” In the same table, we also published an incorrect adjustment factor of “1.11” for “Severe Musculoskeletal and Connective Tissue Diseases.” The correct factor is “1.09,” as published in the Comorbidity Adjustments table in Addendum A, on page 3656. We note that in Addendum A, the correct comorbidity name for “Musculoskeletal & Connective Tissue Diseases” is “Severe Musculoskeletal and Connective Tissue Diseases.”

We also stated on pages 3644 and 3645, that we apply the standardization factor and the wage index budget neutrality factor to the calendar year (CY) 2006 Outpatient Prospective Payment System (OPPS) median cost for ECT. We inadvertently omitted the adjustments for behavioral offset, stop-loss, and outliers when we calculated the ECT base rate. These adjustments were applied to the median cost for ECT in the implementation year, and we intended to be consistent with our methodology from last year. Because of these omissions, for rate year (RY) 2007, we published a proposed ECT rate of \$268.21 instead of \$254.86. As previously stated, immediately after discovering this error, we posted the

correction on the CMS Web site at <http://www.cms.hhs.gov/InpatientPsychFacilPPS/> and issued a message on our IPF PPS listserv.

On page 3648 of the regulatory impact analysis, we incorrectly stated that “we estimate the expenditures from the IPF PPS implementation year to the 2007 IPF PPS RY will be increased by \$180 million.” The number we meant to include as the total estimated increase in expenditures from the implementation year to RY 2007 was \$170 million. However, on page 3648 of the impact analysis, our estimate of the changes attributable to the policy changes in the proposed rule, primarily the market basket update and the standardization factor is correctly presented as approximately \$180 million for the IPF PPS RY 2007.

In Addendum A, on page 3655, under the Variable Per Diem Adjustments table, for Day 1 (on both lines), we indicate an adjustment factor for a facility with or without a 24/7 Full-service Emergency Department (ED). In order to be consistent with our definition of an ED, and to be consistent with the November 15, 2004 IPF PPS correction notice (70 FR 16724), we are deleting the references to “24/7 Full-service ED” and replacing it with “Qualifying ED.”

In Addendum B, on page 3663, we are correcting the 2006 MSA-based wage index values for the Social Security Administration (SSA) State County Codes where the numerical numbers were transposed.

Also, in Addendum B, on page 3702, at the end of the Wage Index Table, we inadvertently included a sentence that refers to the “transition wage index value.” Since we are not proposing a blended transition from Metropolitan Statistical Area (MSA)-based labor market definitions to Core-Based Statistical Areas-based labor market definitions, we are removing this sentence.

In addition, we are correcting cross-references and typographical errors.

III. Correction of Errors**A. Preamble Corrections**

In the January 23, 2006 proposed rule (71 FR 3616), make the following corrections:

1. On page 3616, in column 1, insert “RIN–0938–AN82,” above the title of the document.

2. On page 3628, in column 2, in the third full paragraph, in line 2, the cross-reference “IV.C.5” is corrected to read “IV.C.4.”

3. On page 3632, in Table 11, in column 1—

A. In the third entry, “Tracheotomy” is corrected to read “Tracheostomy”.

B. In column 3, in the second entry from the bottom, the figure “1.11” is corrected to read “1.09”.

4. On page 3633, in column 2, in line 24, the cross-reference “IV.C.5.” is corrected to read “IV.C.4.”

5. On page 3641—

A. In column 2, in line 24, the reference to “§ 412.424(d)(1)(V)(A)” is corrected to read “§ 412.424(d)(1)(v)(A)”.

B. In column 3, in line 29, the reference to “§ 412.424(d)(1)(V)(B)” is corrected to read “§ 412.424(d)(1)(v)(B)”.

6. On page 3644, in column 3, in the fifth full paragraph, in line 6, the words “After applying the standardization factor and the wage index budget neutrality factor” are replaced with the words “After applying the standardization factor, behavior offset, stop-loss adjustment, outlier adjustment, and the wage index budget neutrality factor.”

7. On page 3645—

A. In column 1, in line 1, the cross-reference “III.C.1.f.” is corrected to read “IV.C.1.f”.

B. In column 1, in line 3, the figure “\$268.21” is corrected to read “\$254.86”.

C. In column 3, in line 7, the reference to “Chapter 2, § 20.1ff.” is corrected to read “Chapter 2, § 20.1”.

8. On page 3647, in column 3, in the fifth full paragraph—

A. In line 5, the reference to “§ 424.424(c)” is corrected to read “§ 412.424(c)”.

B. In line 7, the reference to “§ 424.424(d)” is corrected to read “§ 412.424(d)”.

9. On page 3648, in column 2, in line 12, the figure “\$180” is corrected to read “\$170.”

B. Corrections of Addenda**Addendum A**

1. On page 3654, in the Patient Adjustments table, the ECT—Per Treatment rate is corrected to read “\$254.86”.

2. On page 3655, in the Variable Per Diem Adjustments table—

A. In line 1, the words “Facility Without a 24/7 Full-service Emergency Department” are corrected to read “Facility Without a Qualifying Emergency Department.”

B. In line 2, the words “Facility With a 24/7 Full-service Emergency Department” are corrected to read “Facility With a Qualifying Emergency Department.”

3. On page 3656, in the Comorbidity Adjustments table, in line 13, the words

“Musculoskeletal & Connective Tissue Diseases” is corrected to read “Severe Musculoskeletal and Connective Tissue Diseases.”

Addendum B

1. On pages 3663 and 3664, in the fifth column, for the SSA State County Codes 11760 through 11980, correct the wage index values to follow the format of the table.

The 2006 MSA-Based WI should read as follows:

SSA State/county code	2006 MSA-based WI
11760	0.8166
11770	0.8166
11771	0.8166
11772	0.8166
11780	0.8560
11790	0.9793
11800	0.9855
11801	0.8166
11810	0.9793
11811	0.9277
11812	0.9793
11820	0.8166
11821	0.8166
11830	0.8166
11831	0.8166
11832	0.8166
11833	0.8166
11834	0.8166
11835	0.8166
11840	0.9808
11841	0.9793
11842	0.8166
11850	0.8166
11851	0.8166
11860	0.9793
11861	0.8166
11862	0.8166
11870	0.8166
11880	0.8166
11881	0.8166
11882	0.8166
11883	0.8166
11884	0.8166
11885	0.8166
11890	0.8166
11900	0.8166
11901	0.8166
11902	0.8166
11903	0.8166
11910	0.8166
11911	0.8166
11912	0.9277
11913	0.8166
11920	0.8166
11921	0.9088
11930	0.9793
11940	0.8166
11941	0.8166
11950	0.8166
11960	0.8166
11961	0.8166
11962	0.8166
11963	0.8166
11970	0.8166
11971	0.8166
11972	0.8166
11973	0.8166
11980	0.8166

2. On page 3702 in the footnote, remove the sentence “*Transition wage index value should be used with the CBSA urban/rural designation for rate calculation purposes.”

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

Dated: February 17, 2006.

Ann C. Agnew,

Executive Secretary to the Department.

[FR Doc. E6-2607 Filed 2-23-06; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 060216041-6041-01; I.D. 020206C]

RIN 0648-AT72

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and Effort Controls

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments; notice of public hearings.

SUMMARY: NMFS proposes initial 2006 fishing year specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quotas for each of the established domestic fishing categories and to set effort controls for the General category and Angling category. This action is necessary to implement recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), as required by the Atlantic Tunas Convention Act (ATCA), and to achieve domestic management objectives under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). NMFS will hold public hearings to receive comments on these proposed actions.

DATES: Written comments must be received on or before Tuesday, April 11, 2006.

The public hearings dates and locations are:

1. March 17, 2006, 3 p.m. to 5:30 p.m. in Gloucester, MA.
2. March 22, 2006, 6 p.m. to 8:30 p.m. in West Islip, NY.
3. March 24, 2006, 6:30 p.m. to 9 p.m., in Berlin MD.

4. March 27, 2006, 6 p.m. to 8:30 p.m., in Morehead City, NC.

ADDRESSES: Comments may be submitted through any of the following methods:

- Email: 06BFTSPECS@noaa.gov.
- Federal e-Rulemaking Portal: <http://www.regulations.gov>.

- Mail: Dianne Stephan, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, One Blackburn Dr., Gloucester, MA 01930.

- Fax: 978-281-9340.

Public hearing locations include:

1. March 17, 2006 - NMFS, One Blackburn Drive, Gloucester, MA 01930.

2. March 22, 2006 - West Islip Public Library, 3 Higbie Lane, West Islip, NY 11795.

3. March 24, 2006 - Worcester County Public Library, Ocean Pines Branch, 11107 Cathell Road, Berlin MD 21811.

4. March 27, 2006 - Crystal Coast Civic Center, 3505 Arendell Street, Morehead City, NC 28557.

Supporting documents including the environmental assessment, initial Regulatory Flexibility Act analysis, and regulatory impact review are available by sending your request to Dianne Stephan, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, One Blackburn Dr., Gloucester, MA 01930; Fax: 978-281-9340.

FOR FURTHER INFORMATION CONTACT: Dianne Stephan at (978) 281-9260.

SUPPLEMENTARY INFORMATION: Atlantic tunas are managed under the dual authority of the Magnuson-Stevens Act and the ATCA. The ATCA authorizes the Secretary of Commerce (Secretary) to promulgate regulations, as may be necessary and appropriate, to implement ICCAT recommendations. The authority to issue regulations under the Magnuson-Stevens Act and the ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA).

Background

On May 28, 1998, NMFS published in the **Federal Register** (64 FR 29090) final regulations, effective July 1, 1999, implementing the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (1999 FMP).

In November 2002, ICCAT recommended a Total Allowable Catch (TAC) of BFT for the United States in the western Atlantic management area of 1,489.6 metric tons (mt), effective beginning in 2003 and continuing in subsequent fishing years until revised by ICCAT. (ICCAT is scheduled to assess BFT stocks during 2006 which