

**Register** on November 6, 1997 (62 FR 60058). The closing date for comments on the Notice of Intent to Delete was December 8, 1997. No comments were received therefore, EPA has not prepared a Responsiveness Summary.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. 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(e)(3) 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, and Water supply.

Dated: February 2, 1998.

**William J. Muszynski,**

*Acting Regional Administrator.*

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:** 42 U.S.C. 9601–9657; 33 U.S.C. 1321(c)(2); 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 the entry for the South Brunswick Landfill site in South Brunswick, NJ.

[FR Doc. 98–4817 Filed 2–26–98; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### 42 CFR Part 61

RIN 0991–AA96

#### Service Fellowships

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Interim final rule with request for comments.

**SUMMARY:** The Department of Health and Human Services (HHS) is amending the regulations governing service fellowships by revising the current authority citation, extending the time limitation on initial appointments from 2 years to 5 years, permitting extensions of appointments for up to 5 years rather than year-to-year, and deleting obsolete references to the Surgeon General. These changes are being made to provide HHS health agencies with greater flexibility to recruit and retain talented scientists and to update obsolete references.

**DATES:** *Effective Date:* February 27, 1998. *Comment Date:* The Secretary is requesting written comments on this interim final rule which must be received on or before April 28, 1998.

**ADDRESSES:** Written comments on the interim final rule may be sent to Jerry Moore, NIH Regulations Officer, National Institutes of Health, 31 CENTER DR MSC 2075, BETHESDA, MD 20892–2075. Comments may also be sent electronically by facsimile (301–402–0169) or by e-mail (jm40z@nih.gov).

**FOR FURTHER INFORMATION CONTACT:** Jerry Moore at the address above or by telephone (301) 496–4607; (not a toll-free number). For information with regard to service fellowships contact Edie Bishop, Office of Human Resource Management, National Institutes of Health, 31 CENTER DR MSC 0424, BETHESDA, MD 20892–0424, telephone (301) 402–9484 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 207(g) of the Public Health Service Act, as amended, authorizes the Secretary to designate individual scientists, other than Commissioned Officers of the Public Health Service (PHS), to receive fellowships; to be appointed for duty with the Service and compensated without regard to the civil service classification laws; to hold their fellowships under conditions prescribed therein; and to be assigned for studies or investigations either in the United States or foreign countries during the terms of their fellowships.

Consistent with the legislative intent of the PHS Act, § 61.32 of the implementing regulations codified at 42 CFR Part 61, states that service fellowships “may be provided to secure the services of talented scientists for a period of limited duration for health-related research, studies, and investigations where the nature of the work or the character of the individual’s services render customary employing methods impracticable or less effective.”

Section 61.38 currently restricts initial fellowship appointments to a period not to exceed two years, with extensions on a year-to-year basis. HHS is amending § 61.38 of the service fellowship regulations to make time limitations more flexible. Specifically, HHS is extending the current time limitation on initial appointments from 2 to 5 years, and revising the requirements with respect to extensions to permit extensions for up to 5 years rather than year-to-year. These changes are being made to provide HHS health agencies with greater flexibility to recruit and retain their scientists. It is anticipated that the increased flexibility will provide for simplified recruitment and classification. Employment will continue to be linked to scientific excellence as determined by agency peer review processes.

The authority citation and the references to the Surgeon General in § 61.33, § 61.34, § 62.35, § 61.36, § 61.37, and § 61.38 are being revised to reflect that the authority for the service fellowships are vested in the Secretary. § 61.30 is amended to remove the paragraph designations and the definition for the term “Surgeon General” and to add the definition for the term “Secretary,” and § 61.34 is amended to remove clause (b) and redesignate clause (c) as (b) to reflect current policy.

Notice and public comment and delayed effective date have been waived for these amendments because it has been found for good cause in accordance with 5 U.S.C. 553(b)(B) that notice and comment are “impracticable, unnecessary or contrary to the public interest.” Notice and comment are unnecessary and contrary to the public interest because the changes in the duration of service fellowship appointments will not in any way adversely affect service fellowship recipients or others, and the other changes are not substantive or remove obsolete requirements regarding the qualifications of applicants. Extending the permissible duration of the fellowships will make it possible for the Public Health Service to better fulfill the purpose of encouraging and promoting research through the fellowships and provide a broader range of research options for the fellows. For the same reasons, this regulation is effective immediately. This will enable both the Public Health Service and the service fellows to benefit promptly from appointments of longer duration. Applicants for fellowships or recipients do not need any lead time to prepare for the changes because all application requirements and conditions of the

appointment remain the same. The only substantive change is that the permissible duration of the appointment is extended.

Although the amendments are published as an interim final rule and are effective immediately, the Secretary requests comments on the regulations. The Secretary will consider all comments and thereafter will promptly publish a final rule.

The following statements are provided for public information.

#### **Executive Order No. 12866**

Executive Order No. 12866, Regulatory Planning and Review, requires that all regulatory actions reflect consideration of the costs and benefits they generate, and that they meet certain standards, such as avoiding the imposition of unnecessary burdens on the affected public. If an action is deemed to fall within the scope of the definition of the term "significant regulatory action" contained in § 3(f) of the Order, a pre-publication review by the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs (OIRA) is necessary. This interim final rule was reported to OIRA, and it was deemed not to be a significant regulatory action.

#### **Regulatory Flexibility Act**

The Regulatory Flexibility Act of 1980 (5 U.S.C. chapter 6) requires that regulatory actions be analyzed to determine whether they will have a significant economic impact on a substantial number of small entities. The Secretary certifies that this interim final rule will not have a significant economic impact on a substantial number of small entities and, therefore, a regulatory flexibility analysis, as defined under the Regulatory Flexibility Act of 1980 is not required. This rule applies to individuals who apply for and may receive service fellowships. The rule does not apply or affect "small entities" as that term is defined in 5 U.S.C. 601.

#### **Paperwork Reduction Act**

This interim final rule does not contain any information collection requirements that are subject to OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

#### **List of Subjects in 42 CFR Part 61**

Fellowships.

*Approved:* November 6, 1997.

**Harold Varmus,**

*Director, National Institutes of Health.*

*Dated:* February 12, 1998.

**Donna Shalala,**

*Secretary.*

Accordingly, subpart B of part 61 of title 42 of the Code of Federal Regulations is amended to read as set forth below.

### **PART 61—FELLOWSHIPS**

#### **Subpart B—Service Fellowships**

1. The authority citation to subpart B is revised to read as follows:

**Authority:** 42 U.S.C. 209, 210, 216.

2. Section 61.30 is revised to read as follows:

##### **§ 61.30 Definitions.**

As used in this part:

*Continental United States* does not include Hawaii or Alaska.

*Secretary* means the Secretary of Health and Human Services and any other officer or employee of the Department of Health and Human Services to whom the authority involved may be delegated.

*Service Fellowship* is one which requires the performance of services, either full or part time, for the Public Health Service.

3. Sections 61.33, 61.34, 61.35, and 61.36 are revised to read as follows:

##### **§ 61.33 Establishment of service fellowships.**

All service fellowships shall be established by the Secretary. In establishing a service fellowship, or a series of service fellowships, the Secretary shall prescribe in writing the conditions (in addition to those provided in the regulations in this part) under which service fellows will be appointed and will hold their fellowships.

##### **§ 61.34 Qualifications.**

Scholastic and other qualifications shall be prescribed by the Secretary for each service fellowship, or series of service fellowships. Each individual appointed to a service fellowship shall:

- (a) Have presented satisfactory evidence of general suitability, including professional and personal fitness; and
- (b) Possess any other qualifications as reasonably may be prescribed.

##### **§ 61.35 Method of application.**

Application for a service fellowship shall be made in accordance with procedures established by the Secretary.

##### **§ 61.36 Selection and appointment of service fellows.**

The Secretary shall:

(a) Prescribe a suitable professional and personal fitness review and an examination of the applicant's qualifications;

(b) Designate in writing persons to receive service fellowships; and

(c) Establish procedures for the appointment of service fellows.

3a. Section 61.37a is amended by redesignating the undesignated paragraph following paragraph (b)(3) as paragraph (b)(4), and revising paragraphs (a), (b) introductory text, and newly designated (b)(4) to read as follows:

##### **§ 61.37 Stipends, allowances, and benefits.**

(a) *Stipends.* Service fellows shall be entitled to such stipend as is authorized by the Secretary for each service fellowship or series of service fellowships.

(b) *Travel and transportation allowances.* Under conditions prescribed by the Secretary, an individual appointed as a service fellow may be authorized personal travel allowances or transportation and per diem, travel allowances or transportation for his or her immediate family, and transportation of household goods and personal effects, in conjunction with travel authorized by the Secretary.

\* \* \* \* \*

(4) A service fellow shall be entitled to travel allowances or transportation and per diem while traveling on official business away from his or her permanent duty station during the term of the fellowship. Except as otherwise provided herein, a service fellow shall be entitled to travel and transportation allowances authorized in this part at the same rates as may be authorized by law and regulations for other civilian employees of the Public Health Service. If a service fellow dies during the term of a fellowship, and the place of residence that was left by the service fellow to accept the fellowship was outside the continental United States, the payment of expenses of preparing the remains for burial and transporting them to the place of residence for interment may be authorized. In the case of deceased service fellows whose place of residence was within the continental United States, payment of the expenses of preparing the remains and transporting them to the place of residence for interment may be authorized as provided for other civilian employees of the Public Health Service.

\* \* \* \* \*

4. Section 61.38 is revised to read as follows:

**§ 61.38 Duration of service fellowships.**

Initial appointments to service fellowships may be made for varying periods not in excess of 5 years. Such an appointment may be extended for varying periods not in excess of 5 years for each period in accordance with procedures and requirements established by the Secretary.

[FR Doc. 98-4837 Filed 2-26-98; 8:45 am]

BILLING CODE 4140-01-M

**FEDERAL EMERGENCY  
MANAGEMENT AGENCY**

**44 CFR Part 64**

[Docket No. FEMA-7683]

**List of Communities Eligible for the  
Sale of Flood Insurance**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

**EFFECTIVE DATES:** The dates listed in the third column of the table.

**ADDRESSES:** Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea, Jr., Division Director, Program Implementation Division,

Mitigation Directorate, 500 C Street SW., room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

**National Environmental Policy Act**

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Associate Director certifies that this rule will not have a significant economic impact on a substantial

number of small entities in accordance with the Regulatory Flexibility Act, 5 U. S. C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

**Regulatory Classification**

This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Paperwork Reduction Act**

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

**Executive Order 12612, Federalism**

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

**Executive Order 12778, Civil Justice Reform**

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

**List of Subjects in 44 CFR Part 64**

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

**PART 64—[AMENDED]**

1. The authority citation for Part 64 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 64.6 [Amended]**

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date
<b>New Eligibles—Emergency Program</b>			
Georgia: Screven County, unincorporated areas .....	130160	Jan. 6, 1998.	Mar. 18, 1977. Aug. 22, 1975.
Arkansas: Guion, town of, Izard County .....	050248	.....do .....	
Nebraska: Campbell, village of, Franklin County .....	310256	.....do .....	
Georgia: Atkinson County, unincorporated areas .....	130558	Jan. 13, 1998.	
Iowa: Harrison County, unincorporated areas .....	190143	Jan. 14, 1998.	
Michigan:			
Wilcox, township of, Newaygo County .....	261013	Jan. 15, 1998.	
Springvale, township of, Emmet County .....	261017	.....do.	
Lenox, township of, Macomb County .....	261014	.....do.	
St. Charles, township of, Saginaw County .....	261015	.....do.	
Union, township of, Branch County .....	261016	.....do.	
North Dakota: Dickey County, unincorporated areas ....	380701	Jan. 22, 1998.	