

attending healthcare provider shall be responsible for all medication given or administered to a patient. The attending healthcare provider shall review the drug regimen of each patient under his or her care at least every thirty (30) days, and the administration of certain medications will be reviewed more frequently. Medication shall not be used as punishment, or for the convenience of the staff, or in quantities which interfere with the patient's treatment program.

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[FR Doc. 99-11070 Filed 5-3-99; 8:45 am]

BILLING CODE 8320-01-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 038-100b; FRL-6333-5]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from paper, fabric, and film coating operations; graphic arts, coatings and ink manufacturing; plastic, rubber, and glass coatings; motor vehicle and mobile equipment non-assembly line coating operations; and solvent cleaning operations.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will not take effect 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 on this rule. Any parties interested in

commenting on this rule should do so at this time.

DATES: Comments must be received in writing by June 3, 1999.

ADDRESSES: Written comments on this action should be addressed to: Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

California Air Resources Board,
Stationary Source Division, Rule
Evaluation Section, 2020 "L" Street,
Sacramento, CA 95812.

South Coast Air Quality Management
District, 21865 E. Copley Drive,
Diamond Bar, CA 91765.

FOR FURTHER INFORMATION CONTACT:
Andrew Steckel, Rulemaking Office
(AIR-4), Air Division, U.S.
Environmental Protection Agency,
Region 9, 75 Hawthorne Street, San
Francisco, CA 94105-3901, Telephone:
(415) 744-1185.

SUPPLEMENTARY INFORMATION: This document concerns South Coast Air Quality Management District Rules 1128—Paper, Fabric, and Film Coating Operations; 1130—Graphic Arts; 1141.1—Coatings and Ink Manufacturing; 1145—Plastic, Rubber, and Glass Coatings; 1151—Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations; and 1171—Solvent Cleaning Operations, submitted to EPA on July 23, 1996 (1128, 1130), September 14, 1992 (1141.1), August 1, 1997 (1145), and March 10, 1998 (1151, 1171) by the California Air Resources Board. For further information, please see the information provided in the Direct Final action that is located in the Rules section of this **Federal Register**.

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

Dated: April 22, 1999.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 99-11040 Filed 5-3-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[NJ002; FRL-6333-7]

Approval of State Operating Permit Rule Revision; New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed approval.

SUMMARY: The United States Environmental Protection Agency (EPA) is proposing to approve revisions to the Operating Permit Rule submitted by the State of New Jersey to fulfill the requirements of Title V of the Clean Air Act, as amended on November 15, 1990. The revisions extend the deadlines for permit applications submitted in electronic format by affected sources. We are proposing to approve the revised Operating Permit Rule which allows electronic applications to be submitted by February 4, 1999 and May 4, 1999, respectively for the last two waves of affected sources. In the "Rules and Regulations" section of this **Federal Register**, EPA is publishing a separate document that will serve as the agency's decision to approve the State rule revision. EPA is approving New Jersey's revised Operating Permit Rule, codified at N.J.A.C. 7:27-22, as a direct final rule without prior proposal in the view that the subject revision is noncontroversial and therefore would receive no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received on or before June 3, 1999.

ADDRESSES: All comments should be addressed to: Raymond Werner, Acting Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007-1866.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,
Region 2 Office, 290 Broadway, 25th

Floor, New York, New York 10007-1866.
New Jersey Department of Environmental Protection, Air Quality Permitting Program, Bureau of Operating Permits, 401 E. State Street, Trenton, New Jersey 08625-0027.

FOR FURTHER INFORMATION CONTACT: Suilin Chan, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10278, (212) 637-4019.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: April 19, 1999.

William J. Muszynski,

Acting Regional Administrator, Region 2.
[FR Doc. 99-10854 Filed 5-3-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6333-3]

Missouri: Final Authorization of State Hazardous Waste Management Program Revision for Corrective Action

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to grant final authorization for corrective action to the hazardous waste program submitted by Missouri Department of Natural Resources. In the final rules section of this **Federal Register**, the EPA is authorizing the state's program revisions as an immediate final rule without prior proposal because the EPA views this action as noncontroversial and anticipates no adverse comments. If no adverse written comments are received on this action, the immediate final rule will become effective and no further activity will occur in relation to this proposal. If the EPA receives adverse written comments, it will withdraw the immediate final rule before its effective date by publishing a timely withdrawal in the **Federal Register**. The EPA will then respond to public comments in a later final rule based on this proposal. The EPA may not provide further opportunity for comment. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before June 3, 1999.

ADDRESSES: Send written comments to Heather Hamilton, U.S. EPA Region VII, ARTD/RESP, 726 Minnesota Avenue, Kansas City, Kansas 66101; (913) 551-7039. Copies of the Missouri program revision applications and the materials which the EPA used in evaluating the revisions are available for inspection and copying during normal business hours at the following address: Hazardous Waste Program, Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, Missouri 65102-0176; (573) 751-3176.

FOR FURTHER INFORMATION CONTACT: Heather Hamilton, U.S. EPA Region VII, ARTD/RESP, 726 Minnesota Avenue, Kansas City, Kansas 66101; (913) 551-7039.

SUPPLEMENTARY INFORMATION: For additional information see the immediate final rule published in the Rules section of this **Federal Register**.

Dated: April 13, 1999.

William Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 99-11038 Filed 5-3-99; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF DEFENSE

48 CFR Part 215

[DFARS Case 99-D001]

Defense Federal Acquisition Regulation Supplement; Weighted Guidelines and Performance-Based Payments

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to modify the weighted guidelines method of computing profit objectives by adding contracts with performance-based payments to the types of contracts that affect a contractor's cost risk.

DATES: Comments on the proposed rule should be submitted in writing to the address specified below on or before July 6, 1999, to be considered in the formation of the final rule.

ADDRESSES: Interested parties should submit written comments on the proposed rule to: Defense Acquisition Regulations Council, Attn: Ms. Sandra G. Haberlin, PDUUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax (703) 602-0350. Please cite DFARS Case 99-D001.

E-mail comments submitted over the Internet should be addressed to: dfars@acq.osd.mil.

Please cite DFARS Case 99-D001 in all correspondence related to this issue. E-mail correspondence should cite DFARS Case 99-D001 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms. Sandra G. Haberlin, (703) 602-0131. Please cite DFARS Case 99-D001.

SUPPLEMENTARY INFORMATION:

A. Background

DFARS 215.404-4, Profit, requires contracting officers to use the weighted guidelines method of developing a prenegotiation profit or fee objective on most negotiated contract actions that require cost analysis. This method focuses on three profit factors: performance risk, contract type risk, and facilities capital employed. Calculations using these profit factors result in values that become part of the part objective.

For contract type risk, the calculations include an assessment of the degree of cost risk accepted by the contractor under varying contract types as adjusted by the costs of contractor-provided financing. Currently, DFARS 214.404-71-3, Contract type risk and working capital adjustment, provides only two financing choices for fixed-price and fixed-price-incentive contracts: The contract either will provide progress payments or will offer no financing. The proposed rule adds contracts with performance-based payments as a third choice.

The rule proposes to amend DFARS 215.404-71-3 to—

1. Add firm-fixed-price and fixed-price incentive contracts with performance-based payments to the table of contract types at 215.404-71-3(c);
2. Add evaluation criteria at 215.404-71-3(d) that contracting officers should consider when determining the value for contract type risk associated with contracts using performance-based payments; and
3. Remove the reference to the flexible progress payments type of financing at 215.404-71-3(e)(3). DoD does not permit the use of flexible progress payments for contracts awarded as a result of solicitations issued on or after November 11, 1993. A final rule, published in the **Federal Register** on February 23, 1999 (64 FR 8731), removed references to flexible progress payments form DFARS Part 232. The change to 215.404-71-3(e)(3) in this proposed rule does not reflect a policy change but merely removes obsolete language.