

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 372**

[OPPTS-400113A; FRL-5733-2]

**Toxic Chemical Release Reporting;
Community Right-To-Know; Additional
Time to Report****AGENCY:** Environmental Protection
Agency (EPA).**ACTION:** Time extensions for submission
of reports.

SUMMARY: EPA is announcing that it will allow facilities required to submit Toxic Release Inventory (TRI) reports for calendar year 1996 until September 8, 1997, to file those reports. These TRI reports under section 313 of the Emergency Planning and Community Right-to-Know Act and section 6607 of the Pollution Prevention Act would otherwise be due on or before July 1, 1997. EPA had previously extended the reporting deadline until August 1, 1997; however, EPA has continued to experience delays and errors in the distribution of the reporting package, which includes extensive materials and guidance for preparing TRI reports, for the 1996 reporting. To allow facilities adequate time to prepare and submit complete and accurate TRI reports, especially in electronic format, EPA is allowing facilities extra time in which to report.

FOR FURTHER INFORMATION CONTACT:
Maria J. Doa, 202-260-9592, e-mail:
doa.maria@epamail.epa.gov, for specific
information on this notice, or for more
information on EPCRA section 313, the
Emergency Planning and Community
Right-to-Know Hotline, Environmental
Protection Agency, Mail Code 5101, 401
M St., SW., Washington, DC 20460, Toll
free: 1-800-535-0202, in Virginia and
Alaska: 703-412-9877 or Toll free TDD:
1-800-553-7672.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. 11023 (EPCRA, which is also referred to as Title III of the Superfund Amendments and Reauthorization Act of 1986 (Pub. L. 99-499)), requires certain facilities manufacturing, processing, or otherwise using listed toxic chemicals to report their environmental releases of such chemicals annually. Such facilities also must report pollution prevention and recycling data for such chemicals, pursuant to section 6607 of the Pollution Prevention Act (PPA), 42

U.S.C. 13106. EPCRA section 313 and PPA section 6607 require that covered facilities report this information on or before July 1 of each year for activities at those facilities during the previous calendar year. EPA is required to put the EPCRA section 313/PPA section 6607 information in an electronic data base that is accessible to the public. This data base is commonly referred to as the Toxics Release Inventory (TRI). State and local governments, industry, non-government organizations, and the public make extensive use of this data base.

Each year, prior to the reporting deadline, EPA develops and sends to facilities a reporting package containing the current TRI reporting form (Form R), the alternate threshold reporting form (Form A), the list of toxic chemicals subject to reporting, and instructions for reporting. In recent years, the package has also included computer diskettes containing the automated Form R for electronic reporting. EPA has found that providing this extensive reporting package reduces confusion and the number of reporting errors, and expedites the whole reporting process. In the past, these packages have been distributed by early March of the year in which reports are due to allow adequate time for review and use by the reporting facilities.

II. Additional Time to Report for 1996

For the 1996 reporting year, EPA revised the Form R to collect more specific information on disposal into underground injection wells and landfills. The Office of Management and Budget approved the reporting and recordkeeping requirements related to the revised Form R on April 30, 1997. Because EPA could not print the forms and instructions until the Agency received approval for the Form R, EPA's printing and distribution of the 1996 Form R was not to be initiated until late June 1997. As a result, EPA extended the reporting deadline until August 1, 1997. Because of problems with the distribution of the reporting package, especially the automated Form R, facilities subject to TRI reporting may not have sufficient time to prepare and submit their reports by the extended deadline of August 1, 1997. EPA is concerned that in rushing to report by August 1, facilities may make errors that would reduce the accuracy and utility of the reports and, ultimately, the public data base. EPA is also concerned that the additional delay in the distribution of the automated Form R may result in facilities submitting hard copies of the Form R rather than the preferred electronic version. In addition, EPA

believes that the delay in the distribution of the reporting package may create concern in the regulated community regarding potential enforcement actions, including civil penalties, for those facilities submitting reports that may contain errors as a result of the late distribution of the EPA reporting package or reporting after the extended August 1, 1997 deadline.

In recognition of the importance to State and local governments, industry, and the public that facilities submit complete and accurate TRI reports, EPA is allowing all reporting facilities additional time, until September 8, 1997, to submit their 1996 TRI reports. However, reports for the 1996 reporting year that are filed after September 8, 1997, will be subject to EPA enforcement action, where appropriate. This allowance of additional time for reporting applies only to the EPCRA section 313/PPA section 6607 reporting obligations for TRI reports otherwise due on July 1, 1997, covering calendar year 1996. Nothing in this notice shall be construed to apply to any other EPCRA reporting obligations, or to any TRI reports due for past or future reporting years. Further, this allowance of additional time for reporting applies only to the federal EPCRA section 313/PPA section 6607 reporting obligation; it does not apply to independent obligations under State laws which also require TRI-type reports. However, EPA encourages the States with similar requirements that relate to federal TRI reporting to embrace this allowance of additional time. To the extent that this action might be construed as rulemaking subject to section 553 of the Administrative Procedure Act, for the reasons stated above, EPA has determined that notice and an opportunity for public comment are impracticable and unnecessary. Providing for public comment might further delay reporting, and, because there is no substantive change in the reporting obligation, other than allowing additional time, the public will continue to receive the same information. Moreover, a further delay in reporting would almost certainly mean a delay in the release of the information to the public. Also, public comment would not further inform EPA's decision because the events giving rise to the need to provide extra time for reporting have already occurred. In addition, additional notice and comment procedures in this situation would be contrary to the public interest in timely and accurate reporting of data under EPCRA section 313 and PPA section 6607.

III. Availability of the Form R and Instructions on the Internet

A. The Internet

Notwithstanding the delay in distribution of the printed version, the revised Form R and Instructions, currently are available on the Internet. The Form R and Instructions, which can be downloaded as portable document format (pdf) files, are available at <http://www.epa.gov/opptintr/tri/formr.htm>. The Automated Form R (AFR) and Instructions is also available on the internet. The internet address for the AFR is <http://www.epa.gov/opptintr/afr96>.

B. Fax on Demand

Using a faxphone call 202-401-0527 and select item 5100 for an index of available material and corresponding item numbers related to this document.

List of Subjects in 40 CFR Part 372

Environmental protection, Community right-to-know, Reporting and recordkeeping requirements, and Toxic chemicals.

Dated: July 18, 1997.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 97-19544 Filed 7-23-97; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

42 CFR Part 1001

Negotiated Rulemaking Committee on the Shared Risk Exception; Meetings

AGENCY: Office of Inspector General (OIG), HHS.

ACTION: Meeting of Negotiated Rulemaking Committee.

SUMMARY: In accordance with the Federal Advisory Committee Act, this document announces the dates and location for the third set of meetings by the Negotiated Rulemaking Committee on the Shared Risk Exception. The purpose of this committee is to negotiate the development of an interim final rule addressing the shared risk exception to the Federal health care programs' anti-kickback provisions, as statutorily-mandated by section 216 of the Health Insurance Portability and Accountability Act of 1996.

DATES: The third series of meetings will be held from 9:00 a.m. to 5:00 p.m. on September 9 and 10, 1997.

ADDRESSES: The 2-day meeting will be held in the OIG Conference Room, Room 5542, Cohen Building, 330 Independence Avenue, S.W., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT:

Inquiries regarding this meeting should be addressed to Joel Schaer, OIG Regulations Officer, Office of Counsel to the Inspector General, at the above address or call (202) 619-0089.

SUPPLEMENTARY INFORMATION: The Negotiated Rulemaking Committee on the Shared Risk Exception has been established to provide advice and make recommendations to the Secretary of Health and Human Services with respect to the text and content of an interim final rule that will establish standards relating to the exception to the anti-kickback statute for risk-sharing arrangements, set forth in section 1128B(b)(3)(F) of the Social Security Act. The exception was enacted by section 216 of Public Law 104-191, the Health Insurance Portability and Accountability Act (HIPAA) of 1996. Section 216 of HIPAA provides that the Secretary will promulgate regulations that establish standards for the exception using an expedited negotiated rulemaking process.

The first series of meetings was held on June 17 and 18, 1997. A second series of meetings is scheduled for July 28 through 30, 1997 (see 62 FR 28410 for times and location of the July meetings).

During the September meetings, the committee will continue to discuss issues relating to the development of the interim final rule and to generate and discuss options for resolving those issues.

The meetings for September 9 and 10, 1997 will be open to the public without advanced registration. Public attendance at the meeting may be limited to space available. Members of the public wishing to attend the meeting may want to notify the contact person listed above in advance to expedite access to the Cohen Building. A summary of all proceedings of these meetings and relevant matters and other material will also be available for public inspection at the address listed above from the hours of 8:30 a.m. to 5:00 p.m., or can be accessed through the OIG web site (<http://www.sba.gov/ignet/internal/hhs/hhs.html>).

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. App. 2).

Dated: July 14, 1997.

June Gibbs Brown,

Inspector General.

[FR Doc. 97-19500 Filed 7-23-97; 8:45 am]

BILLING CODE 4150-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-159, RM-9122]

Radio Broadcasting Services; Arcadia and Fort Meade, FL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Hall Communications, Inc., proposing the reallocation of Channel 252C2 from Arcadia, Florida, to Fort Meade, Florida, as that community's first local broadcast service. The coordinates for Channel 252C2 at Fort Meade are 27-41-45 and 81-48-49. We shall propose to modify the license for Station WWRZ, to specify operation on Channel 252C2 at Fort Meade, Florida, in accordance with Section 1.420(i) of the Commission's Rules and will not accept competing expressions of interest for the use of the channel or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

DATES: Comments must be filed on or before September 8, 1997, and reply comments on or before September 23, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Thomas Schattenfield, Susan A. Marshall, Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Avenue, NW, Washington, DC 20036-5339.

FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's notice of proposed rule making, MM Docket No. 97-159, adopted July 9, 1997, and released July 18, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors,