

information annually.¹⁴ Based on the number of entities accessing the National Registry that are subject to the TSR, this requirement will result in 500 burden hours (15,000 entities × 2 minutes per entity). In addition, Commission staff continues to estimate that possibly one-half of those entities may need, during the course of their annual period, to submit their basic identifying information more than once in order to obtain additional area codes of data. This would result in an additional 250 burden hours (7,500 entities × 2 minutes per entity). Thus, Commission staff estimates that accessing the National Registry will impose a total burden of approximately 750 hours per year.

Thus, the cumulative annual disclosure burden for all entities subject to the TSR—both telefunder and telemarketing firms alike—is 2,472,000 hours (rounded to the nearest thousand).

Estimated annual labor cost burden: \$37,448,000 (rounded to the nearest thousand).¹⁵

Recordkeeping: The estimated labor cost for recordkeeping for all entities, both telefunders and telemarketing firms, is \$375,000. Assuming a cumulative burden of 7,500 hours/year to set up compliant recordkeeping systems for new telemarketing entities, and applying to that a skilled labor rate of \$20/hour, labor costs would approximate \$150,000 yearly for all new telemarketing entities. As indicated above, staff estimates that existing telemarketing entities require 15,000 hours, cumulatively, to maintain compliance with the TSR's recordkeeping provisions. Applying a clerical wage rate of \$10/hour, recordkeeping maintenance for existing telemarketing entities would amount to an annual cost of approximately \$150,000.

Based on the estimated cumulative burden of 2,500 hours/year to set up compliant recordkeeping systems for new telefunder entities, and applying to that a skilled labor rate of \$20/hour, cumulative labor costs would be approximately \$50,000. In addition, the annual estimated labor cost for maintaining records relating to

solicitations for existing telefunder entities would be \$25,000 (2,500 burden hours × \$10/hour).

Disclosures: The estimated annual labor cost for disclosures for all entities, both telefunders and telemarketing firms is \$37,073,000 (rounded to the nearest thousand). This estimate was derived in part by applying a wage rate of \$15 per hour to: (1) 1,140,000 hours attributed to disclosing outbound call information and disclosing the information required in the case of an upsell; (2) 553,000 hours attributed to all sales disclosures; and (3) 778,000 hours for the disclosure made in solicitations for charitable contributions.

The remaining portion of the labor cost estimate is associated with supplying basic identifying information to the National Registry operator. Applying a clerical wage of \$10 per hour, the cumulative annual labor cost for entities that provide the requisite information and are subject to the TSR is approximately \$7,500 (750 hours × \$10).¹⁶

Estimated annual non-labor cost burden: \$12,575,000 (rounded to the nearest thousand).¹⁷

Total capital and start-up costs: Staff estimates that the capital and start-up costs associated with the TSR's information collection requirements are *de minimis*. The Rule's recordkeeping requirements mandate that companies maintain records but not in any particular form. While those requirements necessitate that affected entities have a means of storage, industry members should have that already regardless of the Rule. Even if an entity finds it necessary to purchase a storage device, the cost is likely to be minimal, especially when annualized over the item's useful life. The Rule's disclosure requirements require no capital expenditures.

Other non-labor costs: Affected entities need some storage media such as file folders, computer diskettes, or paper in order to comply with the Rule's recordkeeping requirements. Although staff believes that most affected entities would maintain the required records in the ordinary course of business, staff estimates that the approximately 15,000 telemarketers subject to the Rule spend an annual amount of \$50 each on office supplies as a result of the Rule's recordkeeping requirements, for a total recordkeeping cost burden of \$750,000.

¹⁶ Staff continues to assume that clerical employees will submit the minimal identifying information. See 68 FR 16238, 16246 (April 3, 2003).

¹⁷ The January 20, 2006 Notice erroneously indicated \$5,613,000.

Oral disclosure estimates, discussed above, applied to a retained estimated commercial calling rate of 6 cents per minute (\$3.60 per hour), totals \$8,899,000 (rounded to the nearest thousand) (2,472,000 hours × \$3.60 per hour) in phone-related costs. Accordingly, the non-labor costs for telemarketing entities associated with the Rule's information collection provisions is \$9,649,000 (\$8,899,000 in phone related costs + \$750,000 for office supplies). Non-labor costs incurred by telefunders for telefunder organizations are estimated to be \$2,926,000 (rounded to the nearest thousand) (778,000 estimated hours @ \$3.60 per hour + \$125,000 in office supply-related costs (2500 telefunders @ \$50 each)). Thus, the total non-labor costs for all entities subject to the TSR is \$12,575,000.¹⁸

Finally, staff believes that the estimated 4,200 inbound telemarketing entities choosing to comply with the Rule through written disclosures incur no additional capital or operating expenses as a result of the Rule's requirements because they are likely to provide written information to prospective customers in the ordinary course of business. Adding the required disclosures to that written information likely requires no supplemental non-labor expenditures.

William Blumenthal,
General Counsel.

[FR Doc. 06-4630 Filed 5-16-06; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office for Civil Rights; The Patient Safety and Quality Improvement Act of 2005; Delegation of Authority

Notice is hereby given that I have delegated to the Director of the Office of Civil Rights (OCR), with authority to redelegate, the authority to enforce the privilege and confidentiality protections of section 922, Title IX of the Public Health Service Act, as amended by the patient Safety and Quality Improvement Act of 2005 (the Act). Pursuant to this delegation, the OCR Director shall have the authority:

- A. To impose civil monetary penalties pursuant to section 922(f) of the Act;
- B. To administer an enforcement program regarding the privilege and confidentiality protections of section 922 of the Act (the Enforcement

¹⁸ Staff believes that remaining non-labor costs would largely be incurred by affected entities, regardless, in the ordinary course of business and/or marginally be above such costs.

¹⁴ See 67 FR 37366 (May 29, 2002). As stated in the Original User Fee NPRM, this estimate is likely to be conservative for PRA purposes. The OMB regulation defining "information" generally excludes disclosures that require persons to provide facts necessary simply to identify themselves, e.g., the respondent, the respondent's address, and a description of the information the respondent seeks in detail sufficient to facilitate the request. See 5 CFR 1320.3(h)(1).

¹⁵ The January 20, 2006 Notice erroneously indicated \$20,315,000.

Program), including but not limited to investigations of compliance, actions to obtain compliance, and determinations to penalize noncompliance;

- C. To provide technical assistance and public information in the administration of the Enforcement Program;
- D. To make decisions regarding the interpretation of the privilege and confidentiality protections at section 922 of the Act in the administration of the Enforcement Program; and
- E. To develop, for issuance by the Secretary, regulations regarding such Enforcement Program.

All other authorities under Title IX of the Public Health Service Act, except those retained by the Secretary, have been delegated to the Director, Agency for Healthcare Research and Quality.

This delegation excludes the authority to submit reports to the Congress, and shall be exercised under the Department's existing delegation of authority and policy on regulations.

This delegation is effective upon signature. In addition, I hereby affirmed and ratified any actions taken by the OCR Director or his subordinates which involved the exercise of the authorities delegated herein prior to the effective day of this delegation.

Dated: April 13, 2006.

Michael O. Leavitt,

Secretary, Department of Health and Human Services.

[FR Doc. 06-4578 Filed 5-16-06; 8:45 am]

BILLING CODE 4153-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[ATSDR-220]

Public Health Assessments Completed: January 2006-March 2006

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: This notice announces those sites for which ATSDR has completed public health assessments during the period from January 2006 through March 2006. This list includes sites that are on or proposed for inclusion on the National Priorities List (NPL) and includes sites for which assessments were prepared in response to requests from the public.

FOR FURTHER INFORMATION CONTACT:

William Cibulas, Jr., Ph.D., Director, Division of Health Assessment and Consultation, Agency for Toxic Substances and Disease Registry, 1600 Clifton Road, NE., Mailstop E-32, Atlanta, Georgia 30333, telephone (404) 498-0007.

SUPPLEMENTARY INFORMATION: The most recent list of completed public health assessments was published in the **Federal Register** on March 29, 2006 [71 FR 15747]. This announcement is the responsibility of ATSDR under the regulation "Public Health Assessments and Health Effects Studies of Hazardous Substances Releases and Facilities" [42 CFR part 90]. This rule sets forth ATSDR's procedures for the conduct of public health assessments under section 104(i) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA) [42 U.S.C. 9604(i)].

Availability

The completed public health assessments are available for public inspection at the ATSDR Records Center, 1825 Century Boulevard, Atlanta, Georgia (not a mailing address), between 8 a.m. and 4:30 p.m., Monday through Friday except legal holidays. Public health assessments are often available for public review at local repositories such as libraries in corresponding areas. Many public health assessments are available through ATSDR's Web site at <http://www.atsdr.cdc.gov/HAC/PHA/>. In addition, the completed public health assessments are available by mail through the U.S. Department of Commerce, National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161, or by telephone at (800) 553-6847. NTIS charges for copies of public health assessments. The NTIS order numbers are listed in parentheses following the site names.

Public Health Assessments Completed or Issued

Between January 2006, and March 2006, public health assessments were issued for the sites listed below:

NPL and Proposed NPL Sites

Florida

Naval Air Station Pensacola—(PB2006-107464)

Missouri

Newton County Mine Tailings Site—(PB2006-102431)

New York

Ellenville Scrap Iron and Metal—(PB2006-105504)

North Carolina

Ram Leather Care Site—(PB2006-105506)

Ohio

Peters Cartridge Factory—(PB2006-107529)

Oregon

Portland Harbor—(PB2006-107530)

Wisconsin

PCB Contaminated Sediment in the Lower Fox River and Green Bay—(PB2006-107466)

Non-NPL Petitioned Sites

Florida

Former Ponce de Leon Golf Course—(PB2006-105505)

Former St. Joe Products Site (a/k/a St. Joe Paper Mill)—(PB2006-103493)

North Suwannee Community (113th Street Area)—(PB2006-107465)

Raleigh Street Dump—(PB2006-103494)

Idaho

Southeast Idaho Phosphate Mining Resource Area—(PB2006-105560)

Illinois

St. Louis Smelting and Refining—(PB2006-102415)

Massachusetts

Milham Brook Area (a/k/a Glen Street Neighborhood)—(PB2006-105559)

Dated: May 10, 2006.

Kenneth Rose,

Acting Director, Office of Policy, Planning, and Evaluation, National Center for Environmental Health/Agency for Toxic Substances and Disease Registry.

[FR Doc. E6-7480 Filed 5-16-06; 8:45 am]

BILLING CODE 4163-70-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day-06-0021]

Proposed Data Collections Submitted for Public Comment and Recommendations

In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for