

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. A new Section 165T.13-026 is added to read as follows:

§ 165.T13-026 Security and Safety Zone; Sinclair Inlet, WA

(a) *Location.* The following area is a combined security and safety zone:

All waters of Sinclair Inlet, Puget Sound, Bremerton, Washington, bounded by a line commencing at latitude 47°33'04" N, longitude 122°39'41" W; thence to latitude 47°33'04" N, longitude 122°39'07" W; thence to latitude 47°33'07" N, longitude 122°38'59" W; thence to latitude 47°33'07" N, longitude 122°38'29" W; thence to latitude 47°33'23" N, longitude 122°37'45" W; thence to latitude 47°33'39" N, longitude 122°37'27" W; thence to latitude 47°33'42" N, longitude 122°37'28" W; and thence along the shoreline to the point of origin.

This combined security and safety zone roughly conforms to the configuration of the shoreline of the Puget Sound Naval Shipyard, measuring approximately 3500 yards along the shoreline and extending approximately 150 yards into Sinclair Inlet.

[Datum: NAD 83]

(b) *Regulations.* (1) In accordance with the general regulations in Sections 165.23 and 165.33 of this part, no person or vessel may enter or remain in this zone unless specifically listed in subparagraph (b)(2) of this section or authorized by the Captain of the Port, Puget Sound, or his designated representatives.

(2) The general regulations in Sections 165.23 and 165.33 of this part do not apply to the following persons or vessels:

(i) Public vessels of the United States.
(ii) Vessels performing work at Puget Sound Naval Shipyard under contract with the United States Navy.

(iii) Any other vessel or person mutually agreed upon in advance by the Captain of the Port, Puget Sound, and Commanding Officer, Puget Sound Naval Shipyard. Vessels or persons entering the security and safety zone under this exemption must have previously obtained a copy of a certificate of exemption permitting their entry in the zone from the Security Office, Puget Sound Naval Shipyard, Bremerton, Washington. This written exemption shall state the date(s) on which it is effective and may contain any further restrictions on movement and activities within the zone as have been previously agreed upon by the Captain of the Port, Puget Sound, and

Commanding Officer, Puget Sound Naval Shipyard. The certificate of exemption shall be maintained onboard the exempted vessel or on the person of the exempted individual at all times when present in the zone.

(c) *Enforcement.* This combined security and safety zone will be enforced by the Captain of the Port, Puget Sound, and by his designated representatives. Designated representatives of the Captain of the Port may include Coast Guard commissioned officers and petty officers. The U.S. Navy may assist the Coast Guard in the patrol, monitoring, and enforcement of the security and safety zone.

(d) *Effective dates.* This section becomes effective on June 12, 1995 at 5 p.m. (PDT) and terminates on September 9, 1995 at 4:30 p.m. unless sooner terminated by the Captain of The Port.

Dated: June 12, 1995.

J. A. Pierson,

*Capt., U.S. Coast Guard Commander,
Thirteenth Coast Guard District, Acting.*
[FR Doc. 95-15757 Filed 6-26-95; 8:45 am]
BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-5226-1]

National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This action corrects errors and clarifies regulatory text in the final rule published on January 25, 1995, at 60 FR 4948 concerning national emission standards for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks.

EFFECTIVE DATE: These corrections become effective June 27, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Lalit Banker, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5420.

SUPPLEMENTARY INFORMATION: On January 25, 1995, the EPA promulgated in the **Federal Register** (60 FR 4948) final national emission standards for

chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks. These standards were promulgated as subpart N in 40 CFR part 63. As published, the final regulations contain errors which may prove to be misleading and are in need of clarification. This document contains corrections to editorial errors in the final standards.

List of Subjects in 40 CFR Part 63

Environmental Protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

Dated: June 15, 1995.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

For the reasons set out in the preamble, title 40, chapter I, part 63 subpart N of the Code of Federal Regulations is corrected as follows:

PART 63—[CORRECTED]

1. On page 4963, in the first column, the designations (b)(4) and (5) are corrected to read (b)(5) and (6) in § 63.14 and amendatory instruction number 2 is corrected to read:

"2. Section 63.14 is amended by adding paragraphs (b)(5) and (6) to read as follows:"

2. On page 4966, in the second column, § 63.342 in paragraph (f)(3)(iv) line 8, is corrected to read "for that even and shall report by phone such".

3. On page 4966, in the third column, § 63.343 in paragraph (a)(2) last line, is corrected to read "schedule of § 63.6 (b)(1)."

4. On page 4967, in the second column, § 63.343 in paragraph (a)(5) last line, is corrected to read "that the large designation is met, or by the compliance date specified in paragraph (a)(1)(ii) of this section, whichever is later."

5. On page 4979, in the first column, paragraph 1.2, after the first sentence add the sentence "The sample time has to be at least 2 hours."

6. On page 4986, in the third column, paragraph 3.1.1, in line 2, the word "inner" is corrected to read "inside."

7. On page 4988, in the first column, paragraph 3.1.4, in line 4, the word "absorbing" is corrected to read "pollutant in the absorbing." Also, in line 8, the word "bleak-tight" is corrected to read "leak-tight."

8. On page 4988, in the third column, paragraph 5.1.1.1, in line 9, the word "velocity" is corrected to read "velocity pressure."

9. On page 4990, in the second column, paragraph 5.1.1.3, in lines 4 and 5, remove the words "using velocity

traverse data obtained earlier in the day.”

10. On page 4990, in the third column, paragraph 5.1.1.3, in line 1, remove the word “velocity.”

11. On page 4990, in the second column, paragraph 5.1.1.5, in lines 2 and 3, remove the words “before sampling.”

12. On page 4992, in the first column, paragraph 5.1.2.2, in line 2, the words “and turn” are corrected to read “and seal the port. Turn.”

13. On page 4993, in the second column, paragraph 1.2, in line 7, the word “bathreduces” is corrected to read “bath reduces.”

14. On page 4993, in the second column, paragraph 2.2, in line 1, the words “Preciser Tensiometer: A Preciser” are corrected to read “Tensiometer: A.”

15. On page 4993, in the second column, paragraph 3.1, in lines 2 and 5, remove the words “Preciser.”

16. On page 4993, in the third column, paragraph 3.2.(b), in line 2, the figure “40” is corrected to read “45.”

17. On page 4993, in the third column, paragraph 4.2, in line 6, remove the word “Preciser.”

[FR Doc. 95-15430 Filed 6-26-95; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 413

[BPD-689-F]

RIN 0938-AE80

Medicare Program; Uniform Electronic Cost Reporting System for Hospitals

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule.

SUMMARY: This final rule responds to comments on the May 25, 1994, final rule with comment period that implemented a standardized electronic cost reporting system for all hospitals under the Medicare program. In that rule, we solicited comments on the requirement that cost reporting software be able to detect changes made to the electronic file after the provider has submitted it to the fiscal intermediary. This final rule responds to comments on that requirement and clarifies that although changes to the “as-filed” electronic cost report are prohibited, an intermediary makes a working copy of the as-filed electronic cost report for use in the settlement process.

EFFECTIVE DATE: These regulations are effective on July 27, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas Talbott (410) 966-4592.

SUPPLEMENTARY INFORMATION:

I. Background

A. General

Under Medicare, hospitals are paid for inpatient hospital services that they furnish to beneficiaries under Part A (Hospital Insurance). Currently, most hospitals are paid for their inpatient hospital services under the prospective payment systems for operating and capital costs in accordance with sections 1886(d) and (g) of the Social Security Act (the Act) and 42 CFR Part 412. Under these systems, Medicare payment is made at a predetermined, specific rate for each hospital discharge based on the information contained on actual bills submitted.

Section 1886(f)(1)(A) of the Act provides that the Secretary will maintain a system for reporting costs of hospitals paid under the prospective payment systems. Section 412.52 requires all hospitals participating in the prospective payment systems to meet the recordkeeping and cost reporting requirements of §§ 413.20 and 413.24, which include submitting a cost report for each 12-month period.

The hospitals and hospital units that are excluded from the prospective payment systems are generally paid an amount based on the reasonable cost of services furnished to beneficiaries. The inpatient operating costs of these hospitals and hospital units are subject to the ceiling on the rate of hospital cost increases in accordance with section 1886(b) of the Act and § 413.40.

Sections 1815(a) and 1833(e) of the Act provide that no payments will be made to a hospital unless it has furnished the information, requested by the Secretary, needed to determine the amount of payments due the hospital under the Medicare program. In general, hospitals submit this information through cost reports that cover a 12-month period.

All hospitals participating in the Medicare program, whether they are paid on a reasonable cost basis or under the prospective payment systems, are required under § 413.20(a) to “maintain sufficient financial records and statistical data for proper determination of costs payable under the program.” In addition, hospitals must use standardized definitions and follow accepted accounting, statistical, and reporting practices. Under the provisions of §§ 413.20(b) and 413.24(f), hospitals are required to submit cost

reports annually, with the reporting period based on the hospital’s accounting year.

Section 1886(f)(1)(B)(i) of the Act provides that the Secretary will place into effect a standardized electronic cost reporting format for hospitals under Medicare. This standardized electronic cost reporting format does not require any additional data from hospitals. Section 1886(f)(1)(B)(ii) of the Act provides that the Secretary may delay or waive the implementation of the electronic format in instances where such implementation would result in financial hardship for a hospital (for example, a hospital with a small percentage of inpatients entitled to Medicare benefits). These provisions apply to hospital cost reporting periods beginning on or after October 1, 1989.

B. Provisions of the August 19, 1991 Proposed Rule

On August 19, 1991, we published a proposed rule (56 FR 41110) to implement sections 1886(f)(1)(B)(i) and (ii) of the Act. We proposed that cost reports be submitted in a standardized electronic format. We proposed that the hospital’s cost report software must be able to produce a standardized output file in American Standard Code for Information Interchange (ASCII) format. We proposed that all intermediaries have the ability to read this standardized file and produce an accurate cost report. We proposed rules for suspension of Medicare payment if a hospital refuses to submit the cost report electronically. We also specified that if a hospital believes that implementation of the electronic submission requirement would cause a financial hardship, the hospital should submit a written request for a waiver or a delay of these requirements, with supporting documentation, to the hospital’s intermediary. See section III of the proposed rule (56 FR 41111 through 41112).

C. Provisions of the May 25, 1994 Final Rule With Comment Period

On May 25, 1994, we published a final rule with comment period to confirm the proposed regulations and respond to public comments on the proposed rule (59 FR 26960). As a result of public comments on the proposed rule, we eliminated the requirement that providers file a hard copy cost report in addition to the electronic file. Instead, we required that, in addition to the electronic file, a hospital must submit hard copies of a settlement summary, a statement of certain worksheet totals found in the electronic file, and a signed statement certifying the accuracy of the