

(j) The ozone nonattainment areas listed in this paragraph (j) are covered areas beginning on January 1, 1995, except that those areas listed in paragraphs (j)(5) (viii) and (ix), (j)(10) (i), (iii), and (v) through (xi) and (j)(11) of this section shall not be covered areas prior to EPA taking final action on the proposal to remove these areas as covered areas.

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[FR Doc. 95-16825 Filed 7-7-95; 8:45 am]

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40 CFR Part 302

[FRL-5255-5]

Reportable Quantity Adjustments; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction to final rule.

SUMMARY: This document corrects errors in the amendatory language of a final rule published on June 12, 1995 (60 FR 30926). The final rule made changes to reportable quantities for hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act.

EFFECTIVE DATE: July 10, 1995.

FOR FURTHER INFORMATION CONTACT: The RCRA/UST, Superfund, and EPCRA Hotline at 800/424-9346 (in the Washington, DC metropolitan area, contact 703/412-9810). The Telecommunications Device for the Deaf (TDD) Hotline number is 800/553-7672 (in the Washington, DC metropolitan area, contact 703/486-3323); or Mr. Jack Arthur, Response Standards and Criteria Branch, Emergency Response Division (5202G), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, or at 703/603-8760.

Dated: June 30, 1995.

Timothy Fields, Jr.,

Acting Assistant Administrator.

For the reasons set out in the preamble, FR Doc. 95-13787, published at 60 FR 30926 (June 12, 1995) is corrected as follows:

§ 302.4 [Corrected]

1. On page 30938, column 3, amendatory instruction 4 is corrected to read as follows:

4. Table 302.4 in § 302.4 is amended by adding the following new entries in alphabetical order; and by revising the entries for "Benzene, dimethyl", "Phenol, methyl-", and "Xylene (mixed)" and their subentries; and by revising under the heading "Unlisted Hazardous Wastes Characteristics:

Characteristic of Toxicity:" the entries for "o-Cresol (D023)", "m-Cresol (D024)", "p-Cresol (D025)", and "Cresol (D026)"; and by revising the entries for "F004", "F025", "F037", "F038", "K088", "K090", and "K091"; and by adding footnote "a" to the entry for "Benzene"; and by removing the entries for "Cresol(s)" and "Cresylic acid" and their subentries, as set forth below:

2. On page 30944, column 1, amendatory instruction 5 is corrected to read as follows:

5. Table 302.4 in § 302.4 is also amended by revising the following entries; and by adding new entries in alphabetical order for "Antimony Compounds", "Aroclors" and its subentries, "Arsenic Compounds (inorganic including arsine)", "Beryllium Compounds", "Cadmium Compounds", "Chlorinated camphene", "1-Chloro-2, 3-epoxypropane", "Chloromethane", "Chromium Compounds", "Cyanide Compounds", "DEHP", "Dibromoethane", "Dichloromethane", "1,4-Diethyleneoxide", "Dimethyl aminoazobenzene", "Ethyl chloride", "Hexone", "Hydrogen phosphide", "Iodomethane", "Lead Compounds", "Lindane (all isomers)", "MEK", "Mercury Compounds", "2-Methyl aziridine", "Nickel Compounds", "PCBs" and its subentries, "PCNB", "Quinone", "Quintobenzene", "Radionuclides (including radon)", "Selenium Compounds", "TCDD", "2,4-Toluene diamine", "2,4-Toluene diisocyanate", and "Urethane", as set forth below:

3. On page 30959, preceding Appendix A to § 302.4, add the following amendatory instruction to read as follows:

5a. Appendix A to § 302.4 is amended by revising the following entries, as set forth below:

[FR Doc. 95-16754 Filed 7-7-95; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 414

[BPD-494-F]

RIN 0938-AD65

Medicare Program; Payment for Durable Medical Equipment and Orthotic and Prosthetic Devices

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

ACTION: Final rule.

SUMMARY: This final rule addresses comments received on an interim final rule with comment period published on December 7, 1992. The interim final rule implemented section 4062(b) of the Omnibus Budget Reconciliation Act of 1987. It specified that payment under the Medicare program for durable medical equipment (DME), prosthetics, and orthotics furnished on or after January 1, 1989 is limited to the lower of the actual charge for the equipment or the fee schedule amount established by the carrier. This final rule describes amendments to the methods for computing fee schedules covering the six classes of DME and how they are updated in subsequent years in accordance with sections 13542 through 13546 of the Omnibus Budget Reconciliation Act of 1993.

DATES: These final regulations are effective August 9, 1995.

FOR FURTHER INFORMATION CONTACT:

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(Coverage Issues)

William Long—(410) 966-5655

(Payment Issues)

SUPPLEMENTARY INFORMATION:

I. Background

The provisions of sections 1833 and 1842 of the Social Security Act (the Act) set forth the general payment authority for most physician and other medical and health services furnished under Part B of the Medicare program. Section 1834 sets forth the 6 classes of DME and specifies that payment for these items is limited to 80 percent of the lesser of the actual charge or a fee schedule amount established by each Medicare carrier.

We published an interim final rule on December 7, 1992 (57 FR 57675) that set forth the methods for computing fee schedules for the six classes of DME effective for services furnished on or after January 6, 1993. The interim rule also described how the fee schedules are updated. The December 1992 rule explained in detail the various legislative changes that led to its publication (57 FR 57676).

On August 10, 1993, the Omnibus Budget Reconciliation Act of 1993 (OBRA 93, Public Law 103-66), revised the statutory provisions upon which the DME payment rules that appeared in the December 1992 final rule were based. We are including these provisions in this final rule since the revisions are not discretionary but follow the explicit language contained in sections 13542 through 13546.

A summary of the provisions of these sections of OBRA 93 follows:

- Section 13542 amends sections 1834(a)(2), (a)(3), (a)(8), and (a)(9) of the