

c. By revising the CAS number in the second column for Nonyl alcohol to read "143-08-8".

Subpart RRR—Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes

§ 60.700 [Amended]

4. Section 60.700 is amended as follows:

a. In paragraph (c)(2) by revising "§ 60.705 (g), (l) and (t)" to read "§ 60.705 (g), (l)(1), (l)(6) and (t)".

b. In paragraph (c)(3) by revising "paragraphs (i), (l)(6) and (n) of § 60.705" to read "§ 60.705 (i), (l)(5) and (n)".

c. In paragraph (c)(4) by revising "paragraphs (h), (l)(5), and (o) of § 60.705" to read "§ 60.705 (h), (l)(4) and (o)".

5. Section 60.704 is amended as follows:

a. In paragraph (e)(1) introductory text by revising the equation to read as follows:

§ 60.704 Test methods and procedures.

* * * * *
(e) * * *
(1) * * *

$$TRE = \frac{1}{E_{TOC}} \left[a + b(Q_s)^{0.88} + c(Q_s) + d(Q_s)(H_T) + e(Q_s)^{0.88}(H_T)^{0.88} + f(Y_s)^{0.5} \right]$$

* * * * *

b. In paragraph (f)(1) by revising "§ 60.702(a)" to read "§ 60.702 (a) or (b)".

c. In paragraph (h)(3) by revising "§ 60.704(b)(4) (i) and (vii)" to read "§ 60.704(b)(4) (i) and (iv)".

§ 60.705 [Amended]

6. Section 60.705 is amended in paragraph (l)(1) by revising "§ 60.705 (c) and (g)" to read "§ 60.705 (c), (f) and (g)".

7. In Section 60.705 paragraphs (l)(4), (l)(5) and (l)(8) are all amended by adding a new sentence after the second sentence in each paragraph to read as follows:

§ 60.705 Reporting and recordkeeping requirements.

* * * * *

(1) * * *

(4) * * * These reports may be submitted either in conjunction with semiannual reports or as a single separate report. * * *

(5) * * * These reports may be submitted either in conjunction with semiannual reports or as a single separate report. * * *

* * * * *

(8) * * * These reports may be submitted either in conjunction with semiannual reports or as a single separate report. * * *

* * * * *

§ 60.707 [Amended]

8. Section 60.707 is amended in the table as follows:

a. By removing "6-Ethyl-1,2,3,4-tetrahydro-9,10-antracenedione" from the first column and by adding "6-Ethyl-1,2,3,4-tetrahydro-9,10-antracenedione" in its place.

b. By removing "Isobutyraldehyde" from the first column and by adding "Isobutyraldehyde" in its place.

c. By revising the CAS number in the second column for Butylbenzyl phthalate to read "85-68-7".

d. By revising the CAS number in the second column for Nonyl alcohol to read "143-08-8".

[FR Doc. 95-28381 Filed 11-24-95; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 300

[FRL-5333-6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of Woodbury Chemical Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region IV announces the deletion of the Woodbury Chemical Site, Princeton, Florida, from the National Priorities List (NPL). The NPL constitutes Appendix B which is 40 CFR part 300 the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Florida Department of Environmental Protection (FDEP) have determined that the Site poses no significant threat to public health or the environment and therefore, further response measures pursuant to CERCLA are not appropriate.

EFFECTIVE DATE: November 27, 1995.

ADDRESSES: Joe Franzmathes, Director, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street NE, Atlanta, Georgia 30365. Comprehensive information on

this Site is available through the Region IV public docket, which is available for viewing at the Woodbury Chemical information repositories at two locations. Locations and phone numbers are: U.S EPA Record Center, 345 Courtland Street N.E., Atlanta, Georgia 30365, (404) 347-0506, and South Dade Regional Library, 10750 SW 211th Street, Cutler Ridge, Florida 33189, (305) 233-8140.

FOR FURTHER INFORMATION CONTACT: Joe Franzmathes, (404) 347-3454.

SUPPLEMENTARY INFORMATION: The Woodbury Chemical Site in Princeton, Florida, is being deleted from the NPL.

A Notice of Intent to Delete for this site was published on August 21, 1995 (60 FR 43424). The closing date for comments on the Notice of Intent to Delete was September 20, 1995. EPA received no comments and therefore did not prepare a Responsiveness Summary.

The EPA identifies sites which appear to present a significant risk to public health welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 301.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties,

Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: October 4, 1995.

Patrick M. Tobin,

Acting Regional Administrator, USEPA
Region IV.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 is revised to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p.193.

Appendix B—[Amended]

2. Table 1 of appendix B to part 300 is amended under Florida by removing the Site "Woodbury Chemical Co. (Princeton Plant)".

[FR Doc. 95–28390 Filed 11–24–95; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

42 CFR Part 1003

RIN 0991–AA81

Health Care Programs: Fraud and Abuse; Revisions to the Civil Money Penalty Provisions Relating to the Misuse of Certain Names, Symbols and Emblems

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

ACTION: Final rule.

SUMMARY: In accordance with amendments to section 1140 of the Social Security Act, resulting from the Social Security Independence and Program Improvements Act of 1994, this final rule makes a number of revisions to the civil money penalty authority regulations relating to the misuse of certain symbols, emblems and names. Among other revisions, this rule eliminates the annual cap on penalties, includes the words and letters of the Department and Medicaid under the prohibition, and redefines a violation with regard to mailings. In addition, this final rule serves to remove references to Social Security and the Social Security Administration (SSA) from the HHS/OIG penalty regulations. The penalty regulations addressing the misuse of certain words, letters, symbols and emblems for SSA and its programs are

being set forth in a new part of the Code of Federal Regulations published elsewhere in this edition of the Federal Register.

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

FOR FURTHER INFORMATION CONTACT: Joel J. Schaefer, Office of Management and Policy, (202) 619–0089.

SUPPLEMENTARY INFORMATION:

I. Background

On August 28, 1991, the Department of Health and Human Services' (HHS) Office of Inspector General (OIG) published final rulemaking in the Federal Register that implemented new section 1140 of the Social Security Act (the Act), as established by section 428(a) of Public Law 100–360 (56 FR 42532). The rulemaking set forth final OIG regulations for imposing civil money penalties (CMPs) for the use—in advertising, solicitations or other communications—of certain words, letters, symbols and emblems associated with the Department's Social Security and Medicare programs in a manner that the user knows, or should know, would convey a false impression that (1) the communicated item was approved, endorsed or authorized by the Department or its programs; or (2) the responsible person or organization has some connection with, or authorization from, the Department or these programs.

Specifically, the rulemaking was designed to assist in protecting citizens from misrepresentations concerning the services offered and the programs administered by the Social Security Administration (SSA) and the Health Care Financing Administration (HCFA) by imposing CMPs against individuals and entities that make false use of—

- The words "Social Security," "Social Security Account," "Social Security Administration," "Social Security System," "Medicare," and "Health Care Financing Administration," or any combination or variation of such words;

- The letters "SSA" or "HCFA," or any combination or variation of such letters; or
- Any symbols or emblems of SSA or HCFA, or any combination or variation of such symbols or emblems.

In accordance with section 1140 of the Act, the regulations established CMPs of up to \$5,000 for each violation of this prohibition relating to printed media, and up to \$25,000 per violation in the case of a misleading broadcast or telecast. In the case of a direct mailing solicitation, the regulations stated that each group mailing of an identical, non-personalized, generic letter or

solicitation sent at the same time on the same day would be considered to be a single violation. Each unique or personalized letter or solicitation, such as with the individual's name and address appearing in the body of the advertisement or on the mailing envelope or covering would be treated as a separate and single violation. With respect to multiple violations consisting of substantially identical communications or productions, total penalties could not exceed \$100,000 per year.

The regulations set forth six mitigating or aggravating factors to be used in determining the amount of penalty to be imposed with respect to a violation, including any efforts by the individual, entity or organization to include a clear, prominent and conspicuously-placed disclaimer of Government association on the mailing envelope, the first page, or in the beginning of the solicitation or offering.

II. Changes Resulting From Public Law 103–296

The passage and enactment of Public Law 103–296, the Social Security Independence and Program Improvements Act (SSIPIA) of 1994, has resulted in several refinements to the HHS/OIG penalty regulations that should be significant in their impact but present no apparent policy discretion in their implementation. However, as discussed below, section 312(a) of SSIPIA made one change to the statute regarding the reproduction, reprinting or distribution of official forms, applications or other publications that may require the exercise of policy discretion in its implementation and thus is not addressed in this final rule.

Social Security Administration as an Independent Agency

First and foremost, section 101 of SSIPIA established the Social Security Administration as an independent agency in the Executive Branch, with the duty to administer the old-age, survivors and disability insurance program under title II of the Act and the supplemental security income program under title XVI of the Act. In creating an independent SSA, Public Law 103–296 also established an independent Office of Inspector General within that agency, with separate and autonomous authority for levying certain CMPs. As a result, a newly-established 20 CFR part 498 has been developed by the SSA/OIG, and is being published elsewhere in this issue of the Federal Register, setting forth the basis for any new SSA/OIG penalty authorities, the mitigating and aggravating factors to be used in