

not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this rule must be filed in the United States Court of Appeals for the appropriate circuit within 60 days from date of publication. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This rule may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 29, 1996.

William Muszynski,
Acting Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart HH—New York

2. Section 52.1683 is amended by adding new paragraph (c) to read as follows:

§ 52.1683 Control Strategy; Ozone

* * * * *

(c) EPA approves on December 2, 1996, a request submitted by the State of New York to revise its ozone state implementation plan (SIP) which addresses the need for transportation control measures (TCMs) to offset growth in emissions from growth in vehicle miles travelled (VMT) as required by the Clean Air Act (Act). New York has indicated that VMT growth will not result in increased emissions and, therefore, TCMs are not needed for this purpose.

[FR Doc. 96–24534 Filed 9–30–96; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 412, 413, and 489

[BPD–847–N]

RIN 0938–AH34

Medicare Program; Notice of Effective Date for Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 1997 Rates

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

ACTION: Notice of effective date.

SUMMARY: On August 30, 1996, we published a final rule—Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 1997 Rates—at 61 FR 46166 *et seq.* At that time, we indicated that, by operation of section 801(a)(3) of title 5, United States Code, the final rule might not take effect until October 29, 1996. On September 17, 1996, the Senate voted to reject a joint resolution of disapproval of the final rule under section 802 of title 5, United States Code. Accordingly, pursuant to section 801(a)(5) of title 5, United States Code, the provisions of the August 30, 1996 final rule are effective on October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Nancy Edwards (410) 786–4531.

(Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh))

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 23, 1996.

Bruce C. Vladek,
Administrator, Health Care Financing Administration.

Dated: September 27, 1996.

Donna E. Shalala,
Secretary.

[FR Doc. 96–25275 Filed 9–30–96; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 62

RIN 3067–AC40

National Flood Insurance Program; Audit Program Revision

AGENCY: Federal Insurance Administration (FEMA).

ACTION: Final rule.

SUMMARY: The Federal Insurance Administration (FIA) has amended its regulations regarding the manner in which its audits are conducted under the National Flood Insurance Program's (NFIP) Write Your Own (WYO) Program. The regulations develop a comprehensive, less burdensome, more efficient audit program. FIA anticipates that these revisions will result in greater economy of resources and new savings to the NFIP public.

EFFECTIVE DATE: October 31, 1996.

FOR FURTHER INFORMATION CONTACT: Roland E. Holland, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (tel.) (202) 646–3439.

SUPPLEMENTARY INFORMATION: Recently, after reviewing the programs and services provided to the NFIP public, the Federal Insurance Administrator concluded that the services currently being provided could be enhanced and improved by revising the audit procedures. As a result, FIA will discontinue the self-audit program, as well as the triennial claims and underwriting operations reviews. The triennial audit will be revised to be conducted on a biennial basis, and expanded to encompass greater claims and underwriting audits that Certified Public Accountant (CPA) firms, selected by the WYO companies, will conduct at the companies' expense. These changes are being made to facilitate improved management control over the audit process. FIA believes these efforts will result in appreciable program savings to both the WYO companies and the FIA. FIA published in the Federal Register a proposed rule to implement these changes on February 1, 1996, 61 FR 3635–3644. A 45-day public comment period expired on March 18, 1996. However, because FIA only received one set of comments, the comment period was kept open to allow other interested parties additional time to respond. Since that time, we have not received any further comments. We concur with the six comments received and, therefore, the final rule reflects these changes, as well as other changes made for consistency and for continuity.

Reference in proposed rule:
§ 62.23(h)(1). "To expedite business growth, the WYO Company will encourage its present property insurance policyholders to purchase flood insurance and to transfer to the WYO company, at the time of policy renewal, business placed by its producers with the NFIP Bureau and Statistical Agent."