

Agency has previously assessed whether establishing tolerances, exemptions from tolerances, raising tolerance levels or expanding exemptions might adversely impact small entities and concluded, as a generic matter, that there is no adverse economic impact. The factual basis for the Agency's generic certification for tolerance actions published on May 4, 1981 (46 FR 24950), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

#### IV. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 23, 1997.

#### Peter Caulkins,

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

#### § 180.442 [Amended]

2. In § 180.442, by amending paragraph (b) in the table, for the commodities "broccoli" and "cauliflower" by removing "1/31/98" and by adding in its place "1/31/99".

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 180 and 186

[OPP-300541A; FRL-5761-9]

RIN 2070-AB78

#### Thiodicarb; Pesticide Tolerance; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; correction.

**SUMMARY:** EPA issued in the **Federal Register** of August 22, 1997, a document establishing tolerances for the combined residues of thiodicarb and its metabolite, methomyl, in or on broccoli, cabbage, cauliflower, and leafy vegetables (except *Brassica* vegetables). This document corrects an error published in Table 1 of the preamble.

**DATES:** This correction is effective January 9, 1998.

**FOR FURTHER INFORMATION CONTACT:** By mail: Thomas C. Harris, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall 2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-5404, e-mail: harris.thomas@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 97-22397 in the **Federal Register** of August 22, 1997 (62 FR 44582) (FRL-5739-7), make the following correction:

On page 44589, in the second column, in Table 1, under column four, the margin of exposure (MOE) for U.S. Population now reading "218" should read "725".

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the Agency has submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Parts 180 and 186

Environmental protection, Administrative practice and procedure, Agricultural commodities, Animal feeds, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: December 10, 1997.

#### Peter Caulkins,

*Acting Director, Registration Division, Office of Pesticide Programs.*

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#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### Health Care Financing Administration

#### 42 CFR Part 413

[HCFA-1004-FC]

RIN 0938-AI34

#### Medicare Program; Limit on the Valuation of a Depreciable Asset Recognized as an Allowance for Depreciation and Interest on Capital Indebtedness After a Change of Ownership

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

**ACTION:** Final rule with comment period.

**SUMMARY:** This final rule with comment period revises the Medicare provider reimbursement regulations relative to allowable costs and sets a limit on the valuation of a depreciable asset that may be recognized in establishing an appropriate allowance for depreciation and for interest on capital indebtedness after a change of ownership that occurs on or after December 1, 1997. These provisions apply to providers that are reimbursed on the basis of reasonable costs. This change implements the mandate in section 4404 of the Balanced Budget Act of 1997 (Pub. L. 105-33).

**DATES:** *Effective Date:* This final rule is effective January 9, 1998.

*Applicability:* Pursuant to 5 U.S.C. 808(2), as well as section 1861(v)(1)(O) of the Social Security Act (as amended by section 4404 of Pub. L. 105-33), this rule applies to changes of ownership that occur on or after December 1, 1997.

*Comment Period:* Written comments will be considered if we receive them at the appropriate address, as provided below, no later than 5:00 p.m. on March 10, 1998.

**ADDRESSES:** Mail written comments (one original and three copies) to the following address: Department of Health and Human Services, Health Care Financing Administration, Attention: HCFA-1004-FC, P.O. Box 7517, Baltimore, Maryland 21207-0517.

If you prefer, you may deliver your written comments (one original and three copies) to one of the following addresses: