

the Selective Service Internet web site, telephonic registration, registration on approved Government forms, including the Selective Service reminder mailback card, and registration through school registrars. These amendments will reduce a burden on the public by informing it of the additional registration methods prescribed by the Director of Selective Service.

DATES: Effective November 9, 2000.

FOR FURTHER INFORMATION CONTACT: Rudy Sanchez, Office of the General Counsel, Selective Service System, 1515 Wilson Boulevard, Arlington, VA 22209-2425. Telephone (703) 605-4071.

SUPPLEMENTARY INFORMATION: The Military Selective Service Act (Act) requires that certain males register with the Selective Service System. 50 U.S.C. App. 451 *et seq.* The time, place and manner of registration is to be determined by proclamation of the President and by rules and regulations. 50 U.S.C. App. 453(a). The President is permitted to delegate the authority to issue rules and regulations under the Act. 50 U.S.C. App. 460(c). On October 12, 1971, E.O. 11623 was signed delegating the authority to issue rules and regulations under the Military Selective Service Act to the Director of the Selective Service System. Proclamation 4771 of July 2, 1980, provides for individuals to comply with the registration requirement of the Military Selective Service Act by completing a Registration Card at a classified Post Office.

This Proclamation was amended by Proclamation 7275, February 22, 2000 (65 FR 9199, February 24, 2000), to provide additional means to comply with the registration requirement. The rules are being amended to reflect additional registration methods prescribed by the Director of Selective Service as authorized by Proclamation 7275. The technical amendments to the rules on registration and the duty to register will inform the public about the various means to comply with the registration requirement.

The SSS considers this rule (32 CFR Part 1615) to be a procedural rule which is exempt from the notice and comment under 5 U.S.C. 533(b)(3)(A). This rule is not a significant rule for the purpose of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, SSS certifies that these regulatory amendments will not have a significant impact on small business entities.

List of Subjects in 32 CFR Part 1615

Selective Service System.

For the reason set forth in the preamble amend part 1615 of title 32 of the Code of Federal Regulations as follows:

PART 1615—ADMINISTRATION OF REGISTRATION

1. The authority citation for part 1615 is revised to read as follows:

Authority: Military Selective Service Act, 50 U.S.C. App. 451 *et seq.*; E.O. 11623, 36 FR 19963, 3 CFR, 1971-1975 Comp., p. 614, as amended by E.O. 12608, 52 FR 34617, 3 CFR, 1987 Comp., p. 245.

2. Amend § 1615.1 to revise paragraph (a)(1), the first sentence of paragraph (a)(2), and the last sentence of paragraph (b), and to add paragraph (c) to read as follows:

§ 1615.1 Registration.

(a) * * *

(1) Completing a registration card or other method of registration prescribed by the Director of Selective Service by a person required to register; and

(2) The recording of the registration information furnished by the registrant in the records (master computer file) of the Selective Service System. * * *

(b) * * * If the registrant does not receive the verification notice within 90 days after he completed a method of registration prescribed by the Director, he shall advise in writing the Selective Service System, P.O. Box 94638, Palatine, IL 60094-4638.

(c) The methods of registration prescribed by the Director include completing a Selective Service Registration Card at a classified Post Office, registration on the Selective Service Internet web site (<http://www.sss.gov>), telephonic registration, registration on approved Federal and State Government forms, registration through high school and college registrars, and Selective Service remainder mailback card.

3. Amend § 1615.4 to remove the period at the end of the introductory text and add a colon in its place and to revise paragraph (a) and the first sentence of paragraph (b) to read as follows:

§ 1615.4 Duty of persons required to register.

* * * * *

(a) To complete the registration process by a method prescribed by the Director of Selective Service and to record thereon his name, date of birth, sex, Social Security Account Number (SSAN), current mailing address, permanent residence, telephone number, date signed, and signature, if requested; and (b) To submit for

inspection, upon request, evidence of his identity to a person authorized to accept the registration information.

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Gil Coronado,

Director.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NC-087-9939; FRL-6881-1]

Approval and Promulgation of State Plans—North Carolina: Approval of Revisions to the North Carolina State Implementation Plan; Technical Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; technical correction.

SUMMARY: The United States Environmental Protection Agency (EPA) published in the **Federal Register** on November 10, 1999, a document approving revisions to clarify rules for the control of particulate emissions, add requirements for expedited permit processing, revise the Division name and address, and amend case-by-case MACT language. The State of North Carolina, through the North Carolina Department of Environment and Natural Resources (NCDENR) submitted these miscellaneous revisions to the North Carolina State Implementation Plan (SIP). The revisions are being clarified and corrected to add and revise entries that were inadvertently excluded in the **Federal Register** document.

EFFECTIVE DATE: This correction is effective on October 10, 2000.

FOR FURTHER INFORMATION CONTACT: Gregory Crawford at (404) 562-9046, crawford.gregory@epa.gov.

SUPPLEMENTARY INFORMATION: The November 10, 1999 (64 FR 61213-61217) document included amendatory language in the third full paragraph of the third column on page 61215 that reads "Section 52.1770 (c) is amended by revising the entries for Sections 2D Air Pollution Control Requirements and 2Q Air Quality Permit Requirements." Entries .0105, .0540, .0312, .0313 and .0607 cannot be revised, but must be added to the table under Subchapters 2D Air Pollution Control Requirements and 2Q Air Quality Permit Requirements. Entries .0104, .0515, .0938, .0108, .0313, and .0607 were not

displayed in the table and are being added under the headings Subchapters 2D Air Pollution Control Requirements and 2Q Air Quality Permit Requirements. This document corrects these deficiencies.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is such good cause for making today's rule final without prior proposal and opportunity for comment because we are merely correcting an incorrect citation in a previous action. Thus, notice and public procedure are unnecessary.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule merely corrects an incorrect citation in a previous action, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and

responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely corrects a citation in a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act (CAA). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

This technical correction action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, we have taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the Executive Order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act (CRA), 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public

interest. This determination must be supported by a brief statement. As stated previously, we made such a good cause finding, including the reasons therefore and established an effective date of October 10, 2000. We will submit a report containing this rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This correction to the North Carolina SIP table is not a "major rule" as defined by 5 U.S.C. 804(2).

Dated: August 17, 2000.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

Chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

PART 52—[CORRECTED]

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

Authority: 42 U.S.C. 7401 *et seq.*

Subpart II—North Carolina [Corrected]

2. Section 52.1770, the table in paragraph (c) is amended by:

A. Adding entries .0105, .0540 under the heading Subchapter 2D Air Pollution Control Requirements and entries .0312, .0313, .0607 under the heading Subchapter 2Q Air Quality Permit Requirements.

B. Revising entries .0101, .0104, .0202, .0302, .0506, .0507, .0508, .0509, .0510, .0511, .0513, .0514, .0515, .0521, .0531, .0914, .0927, .0938, .0953 (two entries), .1902, .1903 under the heading Subchapter 2D Air Pollution Control Requirements and .0101, .0103, .0108, .0207, .0306, .0307, .0805, .0806, .0807 under the heading Subchapter 2Q Air Quality Permit Requirements.

The additions and revisions read as follows:

§ 52.1770 Identification of plan.

* * * * *

(c) EPA approved regulations.

EPA APPROVED NORTH CAROLINA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Comments
Subchapter 2D—Air Pollution Control Requirements				
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Section .0101	Definitions	1/5	11/10/99	
Section .0104	Incorporation by Reference	1/15/98	11/10/99	
Section .0105	Mailing List	1/15/98	11/10/99	
Section .0202	Registration of Air Pollution Sources	1/15/98	11/10/99	

EPA APPROVED NORTH CAROLINA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Section .0302	Episode Criteria	1/15/98	11/10/99	*
Section .0506	Particulates from Hot Mix Asphalt Plants	3/20/98	11/10/99	*
Section .0507	Particulates from Chemical Fertilizer	3/20/98	11/10/99	*
Section .0508	Particulates from Pulp and Paper Mills	3/20/98	11/10/99	*
Section .0509	Particulates from Mica or Feldspar Processing	3/20/98	11/10/99	*
Section .0511	Particulates from Lightweight Aggregate	3/20/98	11/10/99	*
Section .0513	Particulates from Portland Cement Plants	3/20/98	11/10/99	*
Section .0514	Particulates from Ferrous Jobbing Foundries	3/20/98	11/10/99	*
Section .0515	Particulates from Miscellaneous Industrial Processes.	3/20/98	11/10/99	*
Section .0521	Control of visible Emissions	3/20/98	11/10/99	*
Section .0531	Sources in Nonattainment Areas	1/15/98	11/10/99	*
Section .0540	Particulates from Fugitive Non-Process Dust Emission Sources.	3/20/98	11/10/99	*
Section .0914	Determination of VOC Emission Control System Efficiency.	3/20/98	11/10/99	*
Section .0927	Bulk Gasoline Terminals	3/20/98	11/10/99	*
Section .0938	Perchloroethylene Dry Cleaning System	3/20/98	11/10/99	*
Section .0953	Vapor Return Piping for Stage II Vapor Recovery	1/15/98	11/10/99	*
Section .0953	Vapor Return Piping for Stage II Vapor Recovery	3/20/98	11/10/99	*
Section .1902	Definitions	1/15/98	11/10/99	*
Section .1903	Permissible Open Burning Without a Permit	Annual Emissions Reporting	1/15/98	11/10/99
Subchapter 2Q— AirQuality Permits Requirements				
Section .0101	Required Air Quality Permits	3/20/98	11/10/99	*
Section .0103	Definitions	1/15/98	11/10/99	*
Section .0108	Delegation of Authority	3/15/98	11/10/99	*
Section .0207	Annual Emissions Reporting	1/15/98	11/10/99	*
Section .0306	Permits Requiring Public Participation	3/20/98	11/10/99	*
Section .0307	Public Participation Procedures	1/15/98	11/10/99	*
Subchapter 2Q—Air Quality Permits Requirements				
Section .0312	Application Processing Schedule	3/20/98	11/10/99	*
Section .0313	Expedited Application Processing Schedule	4/17/97	11/10/99	*
Section .0607	Application Processing Schedule	4/17/97	11/10/99	*
Section .0805	Grain Elevators	1/15/98	11/10/99	*
Section .0806	Cotton Gins	1/15/98	11/10/99	*
Section .0807	Emergency Generators	1/15/98	11/10/99	*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Care Financing Administration****42 CFR Part 413**

[HCFA-1883-F2]

RIN 0938-A180

Medicare Program; Revision of the Procedures for Requesting Exceptions to Cost Limits for Skilled Nursing Facilities and Elimination of Reclassifications; Correction**AGENCY:** Health Care Financing Administration (HCFA) HHS.**ACTION:** Technical corrections.

SUMMARY: In the August 5, 1999 issue of the *Federal Register* (64 FR 42610), we published a final rule addressing the procedures for granting exceptions to the Medicare skilled nursing facility (SNF) routine service cost limits, and we removed the provision allowing for reclassification for SNFs and home health agencies. This document amends the regulations text to make technical corrections to those parts of the regulation unrelated to the SNF exception procedures that were inadvertently changed.

EFFECTIVE DATE: September 7, 1999.**FOR FURTHER INFORMATION CONTACT:** Julie Stankivic, (410) 786-5725.**SUPPLEMENTARY INFORMATION:****Background**

In the August 5, 1999 final rule (64 FR 42610), we amended the regulations to allow the fiscal intermediaries to make final determinations on requests by skilled nursing facilities (SNFs) for exceptions to the Medicare routine service cost limits under 42 CFR § 413.30(f). In the preamble to both the proposed and final rules (63 FR 42797 and 64 FR 42610, respectively), we specifically stated that the changes are limited to our procedures regarding SNF exceptions. We did not intend to change the new provider exemption under § 413.30(e) or any other provision relating to home health agencies (HHAs). The changes in § 413.30 as set forth in the final rule, however, have raised questions as to whether policy changes had been made in these unrelated areas.

The New Provider Exemption

The preamble to the proposed and final rules (63 FR 42797 and 64 FR 42610, respectively) discussed the three types of relief available to SNFs that exceed the SNF routine service cost limits found in § 413.30. In the preamble concerning § 413.30(c), we indicated that a provider may seek relief from the effects of applying the cost limits, either by requesting an exemption from its limits as a new provider of inpatient services, by requesting a reclassification of its provider status, or by requesting an exception to the cost limit. Of these three types of relief, the proposed and final rules focused solely on the exception process and our proposal to revise the approval process for granting exceptions to the cost limits for SNFs and to remove the provision for obtaining a reclassification for a SNF or an HHA. We did not make changes to the exemption requirements for a new provider. However, the recently promulgated changes to § 413.30(c)(2), with regard to the processing of SNF exception requests, may have created confusion with regard to the processing of new provider exemption requests. In addition, editorial changes to § 413.30(d), meant to clarify which provisions applied to which provider type may have created an impression that a policy change has occurred; no policy changes were intended. The only two provider types subject to the regulations found in § 413.30 at present are SNFs and HHAs. We did not propose any changes to our existing policies with regard to the new provider exemption provision or the processing of new provider exemption requests. The intermediary makes a recommendation to HCFA, and HCFA makes the final determination on requests by SNFs for a new provider exemption under § 413.30(d) as redesignated.

Home Health Agencies

In the preamble to the proposed and final rules (63 FR 42797, 64 FR 42610), we clearly stated that we are retaining the current procedures for HHA exception requests and that these provisions would remain unchanged. We modified § 413.30 (in its entirety), in an attempt to clarify which provisions applied to which provider type. The only two provider types subject to § 413.30 at present are SNFs and HHAs. HHAs, however, have never been eligible to receive an exception for "areas with fluctuating populations," an impression that may have been created by these editorial changes.

Provisions of the Rule

For the reasons discussed above, we are making the necessary technical corrections to restore the regulations to conform with our longstanding and unchanged policies for both the new provider exemption for SNFs, and the procedures for exceptions to the cost limits for HHAs.

List of Subjects in 42 CFR Part 413

Health facilities, Kidney diseases, Medicare, Puerto Rico, Reporting and recordkeeping requirements.

Accordingly, 42 CFR part 413 is corrected by making the following correcting amendments:

PART 413—PRINCIPLES OF REASONABLE COST REIMBURSEMENT; PAYMENT FOR END-STAGE RENAL DISEASE SERVICES; PROSPECTIVELY DETERMINED PAYMENT RATES FOR SKILLED NURSING FACILITIES

1. The authority citation for part 413 continues to read as follows:

Authority: Secs. 1102, 1812(d), 1814(b), 1815, 1833(a), (i), and (n), 1871, 1881, 1883, and 1886 of the Social Security Act (42 U.S.C. 1302, 1395f(b), 1395g, 1395i, 13951(a), (i), and (n), 1395x(v), 1395hh, 1395rr, 1395tt, and 1395ww).

2. In § 413.30, the following changes are made:

§ 413.30 [Corrected]

A. In paragraph (a) introductory text, at the end of the second sentence after the word "situations", the phrase "of particular providers" is added.

B. In paragraph (a)(2), at the beginning of the first sentence, the words "Payable SNF and HHA" are removed, and the words "Reimbursable provider" are added in their place.

C. In paragraph (c) introductory text, in the last sentence, the words "intermediary's notice of program pay" are removed, and the words "intermediary's notice of program reimbursement" are added in their place.

D. In paragraph (c)(2), the heading is corrected to read "Skilled nursing facility exception"; and in the first sentence, the word "exception" is added between the words "SNFs" and "request".

E. In paragraph (d), add the sentence "The intermediary makes a recommendation on the provider's request to HCFA, which makes the decision." after the first sentence; and remove the words "the type of" from the first sentence and add the word "a" in their place.