

(1) In accordance with the general regulations in section 165.23 of this part, entry into, transiting, or anchoring in this safety zone is prohibited unless authorized by the Captain of the Port, Lake Michigan, or his or her designated on-scene representative.

(2) This safety zone is closed to all vessel traffic except as permitted by the Captain of the Port, Lake Michigan, or his or her designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port, Lake Michigan, is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port, Lake Michigan, to act on his or her behalf. The Captain of the Port, Lake Michigan, or his or her designated on-scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port, Lake Michigan, or his or her designated on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port, Lake Michigan, or his or her on-scene representative.

(e) *Exemptions.* Public vessels, as defined in paragraph (c) of this section, are exempt from the requirements in this section.

Dated: June 24, 2013.

**M.W. Sibley,**

*Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.*

[FR Doc. 2013-16391 Filed 7-8-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 49

[EPA-R09-OAR-2013-0009; FRL-9832-2]

#### Approval of Air Quality Implementation Plans; Navajo Nation; Regional Haze Requirements for Navajo Generating Station; Extension of Public Comment Period

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

**ACTION:** Proposed rule; notice of extended comment period.

**SUMMARY:** On February 5, 2013, EPA proposed a Best Available Retrofit Technology (BART) determination for oxides of nitrogen (NO<sub>x</sub>) for the Navajo Generating Station (NGS), located on the Navajo Nation, and provided a 3-month

period for public comments, to close on May 6, 2013. The Navajo Nation, Gila River Indian Community, and other affected stakeholders requested a 90-day extension of the comment period to allow time for stakeholders to develop an alternative to EPA’s proposed BART determination that achieves greater reasonable progress. On March 19, 2013, EPA extended the close of the public comment period to August 5, 2013. On June 10, 2013, EPA signed a notice, published in the **Federal Register** on June 19, 2013, of our intent to hold five public hearings in the state of Arizona. On June 20, 2013, Salt River Project (SRP), the operator and co-owner of NGS, submitted a letter on behalf of six stakeholders, including the Navajo Nation and Gila River Indian Community, describing the development of a stakeholder alternative, and requesting another extension of the comment period to allow the stakeholders additional time to finalize their alternative and submit it to EPA for consideration in the rulemaking process. EPA is extending the comment period for this proposed rulemaking by 60 days to October 4, 2013.

**DATES:** The comment period for the proposed rule published February 5, 2013, at 78 FR 8274, extended March 19, 2013, at 78 FR 16825, is further extended. Comments on the proposed BART determination for NGS must be postmarked no later than October 4, 2013.

**ADDRESSES:** Submit comments, identified by docket number EPA-R09-OAR-2013-0009, by one of the following methods:

(1) *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

(2) *Email:* [r9ngsbart@epa.gov](mailto:r9ngsbart@epa.gov).

(3) *Mail or deliver:* Anita Lee (Air-2), U.S. Environmental Protection Agency Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

For more detailed instructions concerning how to submit comments on this proposed rule, and for more information on our proposed rule, please see the notice of proposed rulemaking, published in the **Federal Register** on February 5, 2013 (78 FR 8274).

*Instructions:* All comments will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that

you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through [www.regulations.gov](http://www.regulations.gov) or email. [www.regulations.gov](http://www.regulations.gov) is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

*Hearings:* EPA intends to schedule five public hearings to accept oral and written comments on the proposed rulemaking. EPA intends to hold the public hearings at locations on the Navajo Nation and the Hopi Tribe, as well as in Page, Phoenix, and Tucson, Arizona. EPA will provide notice and additional details related to the hearings in the **Federal Register**, on our Web site, and in the docket for this proposed rulemaking.

*Docket:* The index to the docket for this action is available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region 9, 75 Hawthorne Street, San Francisco, California. While documents in the docket are listed in the index, some information may be publicly available only at EPA Region 9 (e.g., maps, voluminous reports, copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Anita Lee, EPA Region 9, (415) 972-3958, [r9ngsbart@epa.gov](mailto:r9ngsbart@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we”, “us”, and “our” refer to EPA.

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#### I. Background

NGS is a coal-fired power plant located on the Navajo Nation Indian Reservation, just east of Page, Arizona, approximately 135 miles north of Flagstaff, Arizona. Emissions of NO<sub>x</sub> from NGS affect visibility at 11 National Parks and Wilderness Areas that are designated as Class I federal areas, mandated by Congress to receive heightened protection. NGS is subject to the BART requirement of the CAA and the Regional Haze Rule based on its age

and its effects on visibility in Class I areas.

On February 5, 2013, EPA proposed a BART determination to require NGS to achieve a nearly 80 percent reduction of its current overall NO<sub>x</sub> emission rate. EPA also proposed an alternative to BART that would provide flexibility to NGS in the schedule for the installation of new post-combustion control equipment. EPA's proposed alternative to BART credits NGS for its early and voluntary installation of new combustion controls to reduce NO<sub>x</sub> emissions beginning in 2009. EPA, therefore, proposed to find that this alternative achieves greater reasonable progress than BART.

In recognition that there may be other approaches that could result in equivalent or better visibility benefits than BART, as well as the singular importance of NGS to the Navajo Nation, Hopi Tribe, the Gila River Indian Community, and numerous other tribes located in Arizona, EPA also outlined a framework for evaluating other alternatives to provide greater flexibility than EPA's proposed alternative to BART.

EPA encouraged a robust public discussion of our proposed BART determination and alternative, as well as other possible alternatives, and recognized the potential need for a supplemental proposal if other approaches developed by other parties are identified as meeting the needs of stakeholders and meeting the requirements of the CAA.

EPA received requests for a 90-day extension of the public comment period from the Navajo Nation, the Gila River Indian Community, and other stakeholders, in order to allow stakeholders time to develop alternatives to BART for EPA's consideration. On March 19, 2013, EPA extended the close of the public comment period to August 5, 2013 (78 FR 16825). EPA recognized that the stakeholder process, to develop viable alternatives to BART that provide additional flexibility to the owners of NGS while achieving more emission reductions to assure greater reasonable progress than BART, would require a significant amount of time. EPA also recognized the critical importance of active participation by affected tribes located in Arizona in the development of alternatives to BART.

On June 10, 2013, EPA signed a notice, published on June 19, 2013, of our intent to hold five public hearings throughout the state of Arizona (78 FR 36716). EPA intends to hold hearings at one location each on reservation lands of the Navajo Nation and Hopi Tribe,

and in Page, Phoenix, and Tucson, Arizona.

On June 20, 2013, SRP submitted a letter, on behalf of six stakeholders, requesting another extension of the comment period for NGS.<sup>1</sup> SRP describes working over the past several months with representatives from the Central Arizona Water Conservation District, the Environmental Defense Fund, the Gila River Indian Community, the Navajo Nation Environmental Protection Agency, and the U.S. Department of the Interior to develop a BART alternative. SRP states that although significant progress has been made on the development of an alternative, additional time is needed to finalize their alternative and submit it to EPA for consideration in the rulemaking process.

## II. Today's Action

In today's action, EPA is extending the comment period for our proposed BART determination for NGS by 60 days, to October 4, 2013. EPA is granting a 60-day extension to allow time for the stakeholders to finalize their alternative and submit it to EPA for consideration in the rulemaking process.

### List of Subjects in 40 CFR Part 49

Environmental protection, Air pollution control, Indians, Intergovernmental relations, Nitrogen dioxide.

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

Dated: June 26, 2013.

**Deborah Jordan,**

*Air Division Director, Region 9.*

[FR Doc. 2013-16491 Filed 7-8-13; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Parts 431

[CMS-1450-CN]

RIN 0938-AR52

### Medicare and Medicaid Programs; Home Health Prospective Payment System Rate Update for CY 2014, Home Health Quality Reporting Requirements, and Cost Allocation of Home Health Survey Expenses Correction

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document corrects technical errors that appeared in the proposed rule with comment period titled "Medicare and Medicaid Programs; Home Health Prospective Payment System Rate Update for CY 2014, Home Health Quality Reporting Requirements, and Cost Allocation of Home Health Survey Expenses" published on July 3, 2013.

**FOR FURTHER INFORMATION CONTACT:** Elmer Barksdale, (410) 786-1943.

#### SUPPLEMENTARY INFORMATION:

#### I. Background

In FR Doc. 2013-15766, published on Wednesday, July 3, 2013 (78 FR 40272), there was an error that is identified and corrected in the Correction of Errors section below.

#### II. Summary of Errors

In section "VI.G. Accounting Statement and Table" of the Regulatory Impact Analysis section, in the Transfers column of Table 31, under the heading Medicare HH Survey & Certification Costs, we inadvertently made a typographical error when we listed the amount for the Annualized Monetized Transfers. Specifically, we stated that the amount was "\$18.6 Million" instead of "\$18.6 Million."

#### IV. Correction of Errors

In FR Doc. 2013-15766, published on July 3, 2013, on page 40308, in the Transfers column of Table 31, under the heading Medicare "HH Survey & Certification Costs", the amount "\$18.6 Million" is corrected to read "\$18.6 Million."

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

<sup>1</sup> See letter dated June 20, 2013 from Kelly J. Barr, SRP, to Jared Blumenfeld, EPA, re: Request for Extension of the Public Comment Period, Proposed Rule—Regional Haze Requirements for Navajo Generating Station Docket No. EPA-R09-OAR-2013-0009.