

### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023-01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting approximately 90 minutes that will prohibit entry into a regulated area on the St Lucie River east of the Roosevelt/U.S. Route 1 Bridge in Stuart, Florida. It is categorically excluded from further review under paragraph L60(a) in Table 3-1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; and Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T07-0208 to read as follows:

### § 165.T07-0208 Safety Zone; St Lucie River, Stuart, FL.

(a) *Location.* The safety zone will encompass all waters of St Lucie River, Stuart FL contained within the following points: Commencing at 27°12'24" N, 080°15'21" W; thence southeast to 27°12'21" N, 080°14'48" W; thence southwest to 27°12'06" N, 080°14'50" W; then northwest to 27°12'10" N, 080°15'23" W; thence northeast to origin. All coordinates are North American Datum 1983.

(b) *Definition.* The term "designated representative" means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the COTP in the enforcement of the regulated area.

(c) *Regulations.* (1) No person or vessel will be permitted to enter, transit, anchor, or remain within the regulated area unless authorized by COTP or a designated representative.

(2) Persons and vessels desiring to enter, transit, anchor, or remain within the regulated area may contact the COTP by telephone at 305-535-4313, or a designated representative via VHF radio on channel 16 to request authorization. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP or a designated representative.

(d) *Enforcement period.* This regulation will be enforced from 6 p.m. until 7:30 p.m. on July 4, 2019.

Dated: June 3, 2019.

**J.F. Burdian,**

*Captain, U.S. Coast Guard, Captain of the Port Miami.*

[FR Doc. 2019-11987 Filed 6-6-19; 8:45 am]

**BILLING CODE 9110-04-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 300

[EPA-HQ-SFUND-1989-0007, EPA-HQ-OLEM-2018-0253, 0580, 0581, 0582, 0583, 0585, and 0586; FRL-9994-86-OLEM]

#### National Priorities List; Correction

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

**ACTION:** Final rule, correction.

**SUMMARY:** On May 15, 2019, the Environmental Protection Agency published a final rule which added seven new sites to the National Priorities List (NPL) and changed the name of an NPL site. That document inadvertently contained a typographical error, citing Table 1 (General Superfund Section) in the instructions to make the site name change rather than Table 2 (Federal Facilities Section). This document corrects the final rule.

**DATES:** Effective June 14, 2019.

**FOR FURTHER INFORMATION CONTACT:**

Terry Jeng, phone: (703) 603-8852, email: [jeng.terry@epa.gov](mailto:jeng.terry@epa.gov), Site Assessment and Remedy Decisions Branch, Assessment and Remediation Division, Office of Superfund Remediation and Technology Innovation (Mailcode 5204P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2019-09924 (84 FR 21708), appearing on page 21708 of the **Federal Register** of Wednesday, May 15, 2019, the following correction is made:

### PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN [CORRECTED]

- 1. On page 21713, in the third column, amendatory instruction 2 and its corresponding regulatory text are corrected to read as follows:
- 2. Appendix B to part 300 is amended as follows:
  - a. In Table 1, adding entries for "Copper Bluff Mine", "Cliff Drive Groundwater Contamination", "McLouth Steel Corp", "Sporlan Valve Plant #1", "Magna Metals", "PROTECO", and "Shaffer Equipment/Arbuckle Creek Area" in alphabetical order by state.
  - b. In Table 2, adding an entry for "Hunters Point Naval Shipyard" in alphabetical order by state and removing the entry for "Treasure Island Naval Station-Hun Pt An".

The additions read as follows:

### Appendix B to Part 300—National Priorities List

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes (a)
CA	Cooper Bluff Mine	Hoopa	*
IN	Cliff Drive Groundwater Contamination.	Logansport	*
MI	McLouth Steel Corp	Trenton	*
MO	Sporlan Valve Plant #1	Washington	*
NY	Magna Metals	Cortlandt Manor	*
PR	PROTECO	Peñuelas	*
WV	Shaffer Equipment/Arbuckle Creek Area.	Minden	*

(a) A = Based on issuance of health advisory by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be greater than or equal to 28.50).

P = Sites with partial deletion(s).

TABLE 2—FEDERAL FACILITIES SECTION

State	Site name	City/county	Notes (a)
CA	Hunters Point Naval Shipyard	San Francisco	P.

(a) A = Based on issuance of health advisory by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be greater than or equal to 28.50).

P = Sites with partial deletion(s).

Dated: May 29, 2019.

**Barry N. Breen,**  
*Acting Assistant Administrator, Office of  
 Land and Emergency Management.*

[FR Doc. 2019-11759 Filed 6-6-19; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Parts 422, 423, 438, and 498

[CMS-4185-CN]

RIN 0938-AT59

#### Medicare and Medicaid Programs; Policy and Technical Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Programs of All-Inclusive Care for the Elderly (PACE), Medicaid Fee-For-Service, and Medicaid Managed Care Programs for Years 2020 and 2021; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects technical and typographical errors that appeared in the final rule published in the April 16, 2019 **Federal Register** titled “Medicare and Medicaid Programs; Policy and Technical Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Programs of All-Inclusive Care for the Elderly (PACE), Medicaid Fee-For-Service, and Medicaid Managed Care Programs for Years 2020 and 2021”.

**DATES:** *Effective Date:* The corrections to the preamble of the final rule published on April 16, 2019 (84 FR 15680), are effective June 7, 2019. The correction in instruction 8 (§ 423.120) is effective June 17, 2019. The corrections in instructions 5 (§ 422.561), 6 (§ 422.562), 7 (§ 422.633), and 9 (§ 423.120) are effective on January 1, 2020. The correction in instruction 4 (§ 422.107(d)) is effective January 1, 2021.

**FOR FURTHER INFORMATION CONTACT:** Theresa Wachter, (410) 786-1157. Cali Diehl, (410) 786-4053.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In FR Doc. 2019-06822 of April 16, 2019 (84 FR 15680), there were a number of technical and typographical errors that are identified and corrected in the Correction of Errors section of this correcting document. The provisions in this correction document are effective as if they had been included in the document published April 16, 2019.

##### II. Summary of Errors

###### A. Summary of Errors in the Preamble

On page 15680, in our listing of the effective dates, we made an error in a regulatory citation.

On page 15713, in our discussion of dual eligible special needs plans and contracts with states, we made a typographical error.

On page 15736, in our discussion of integrated grievances, we made an error in regulatory citation.

###### B. Summary of Errors in the Regulations Text

On page 15828, in the regulation text for § 422.107(d), we made a typographical error.

On page 15834, in the regulation text for § 422.561, we inadvertently misspelled the term “complaint” and in § 422.562, we made errors in two cross-references.

On page 15838, in the regulation text § 422.633, we made inadvertent technical errors in language of two regulatory provisions regarding integrated reconsideration.

On page 15840, we made errors in the placement of the regulatory text revisions for § 423.120(c)(6)(iv) and (v). We inadvertently included the revisions for § 423.120(c)(6)(iv) with the amendments effective June 17, 2019 (instead of January 1, 2020) and the revisions for § 423.120(c)(6)(v) with the amendments effective January 1, 2020 (instead of June 17, 2019).

##### III. Waiver of Proposed Rulemaking

Under 5 U.S.C. 553(b) of the Administrative Procedure Act (APA), the agency is required to publish a notice of the proposed rule in the **Federal Register** before the provisions of a rule take effect. Similarly, section 1871(b)(1) of the Act requires the Secretary to provide for notice of the proposed rule in the **Federal Register** and provide a period of not less than 60 days for public comment. In addition, section 553(d) of the APA, and section 1871(e)(1)(B)(i) of the Act mandate a 30-day delay in effective date after issuance or publication of a rule. Sections 553(b)(B) and 553(d)(3) of the APA provide for exceptions from the notice and comment and delay in effective date APA requirements; in cases in which these exceptions apply, sections 1871(b)(2)(C) and 1871(e)(1)(B)(ii) of the Act provide exceptions from the notice and 60-day comment period and delay in effective date requirements of the Act as well. Section 553(b)(B) of the APA and section 1871(b)(2)(C) of the Act authorize an agency to dispense with

normal rulemaking requirements for good cause if the agency makes a finding that the notice and comment process are impracticable, unnecessary, or contrary to the public interest. In addition, both section 553(d)(3) of the APA and section 1871(e)(1)(B)(ii) of the Act allow the agency to avoid the 30-day delay in effective date where such delay is contrary to the public interest and an agency includes a statement of support.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the **Federal Register**. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

We believe that this correcting document does not constitute a rule that would be subject to the notice and comment or delayed effective date requirements of the APA or section 1871 of the Act. This correcting document corrects technical errors in the preamble and regulation text of the final rule but does not make substantive changes to the policies that were adopted in the final rule. As a result, this correcting document is intended to ensure that the information in the final rule accurately reflects the policies adopted in that final rule.

In addition, even if this were a rule to which the notice and comment procedures and delayed effective date requirements applied, we find that there is good cause to waive such requirements. Undertaking further notice and comment procedures to incorporate the corrections in this document into the final rule or delaying the effective date would be contrary to the public interest because it is in the public’s interest to ensure that final rule accurately reflects our policies. Furthermore, such procedures would be unnecessary, as we are not altering payment eligibility or benefit methodologies or policies, but rather, simply implementing correctly the policies that we previously proposed, received comment on, and subsequently finalized. This correcting document is intended solely to ensure that the final rule accurately reflects these policies. Therefore, we believe we have good cause to waive the notice and comment and effective date requirements.