

all times, including periods of SSM. During periods of SSM, you must comply with the work practice requirement specified in § 63.1958(e) in lieu of the compliance provisions in § 63.1960.

■ 8. Section 63.1961 is amended by revising paragraph (f) to read as follows:

**§ 63.1961 Monitoring of operations.**

\* \* \* \* \*

(f) Each owner or operator seeking to demonstrate compliance with the 500-ppm surface methane operational standard in § 63.1958(d) must monitor surface concentrations of methane according to the procedures in § 63.1960(c) and the instrument specifications in § 63.1960(d). If you are complying with the 500-ppm surface methane operational standard in § 63.1958(d)(2), for location, you must determine the latitude and longitude

coordinates of each exceedance using an instrument with an accuracy of at least 4 meters and the coordinates must be in decimal degrees with at least five decimal places. In the semi-annual report in § 63.1981(h), you must report the location of each exceedance of the 500-ppm methane concentration as provided in § 63.1958(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month. Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

\* \* \* \* \*

■ 9. Section 63.1983 is amended by revising paragraph (g) to read as follows:

**§ 63.1983 What records must I keep?**

\* \* \* \* \*

(g) Except as provided in § 63.1981(d)(2), each owner or operator subject to the provisions of this subpart must keep for at least 5 years up-to-date, readily accessible records of all collection and control system monitoring data for parameters measured in § 63.1961(a)(1) through (6).

\* \* \* \* \*

■ 10. Amend Table 1 to subpart AAAA of part 63 by revising Footnote 2 to read as follows:

**Table 1 to Subpart AAAA of Part 63**

\* \* \* \* \*

TABLE 1 TO SUBPART AAAA OF PART 63—APPLICABILITY OF NESHAP GENERAL PROVISIONS TO SUBPART AAAA

Part 63 citation	Description	Applicable to subpart AAAA before September 28, 2021	Applicable to subpart AAAA no later than September 27, 2021	Explanation
*	*	*	*	*
*	*	*	*	*

<sup>2</sup> If an owner or operator has complied with requirements that are parallel to the requirements of the part 63 citation of this table under 40 CFR part 60, subpart WWW or subpart XXX, or a state or federal plan that implements 40 CFR part 60, subpart Cc or Cf, then additional notification for that requirement is not required.

[FR Doc. 2020–19676 Filed 10–9–20; 8:45 am]

BILLING CODE 6560–50–P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Parts 417, 422, and 423**

[CMS–4190–CN]

RIN 0938–AT97

**Medicare Program; Contract Year 2021 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, and Medicare Cost Plan Program; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects technical errors that appeared in the final rule published in the **Federal Register** on June 2, 2020 entitled “Medicare Program; Contract Year 2021 Policy and Technical Changes to the

Medicare Advantage Program, Medicare Prescription Drug Benefit Program, and Medicare Cost Plan Program.”

**DATES:** *Effective date:* This correcting document is effective on October 13, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Cali Diehl, (410) 786–4053 or Christopher McClintick, (410) 786–4682—General Questions.

Kimberlee Levin, (410) 786–2549—Part C Issues.

Stacy Davis, (410) 786–7813—Part C and D Payment Issues.

Melissa Seeley, (212) 616–2329—D–SNP Issues.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In FR Doc. 2020–11342 of June 2, 2020 (85 FR 33796), there were a number of technical errors that are identified and corrected in this correcting document. The provisions in this correction document are effective as if they had been included in the document published June 2, 2020. Accordingly, the corrections are effective August 3, 2020.

**II. Summary of Errors**

On page 33820, in our discussion of dual eligible special needs plans, we inadvertently included a disclaimer that was not applicable to the published final rule.

On pages 33876 and 33877, in our discussion of the information collection requirements regarding Special Supplemental Benefits for the Chronically Ill (SSBCI), we inadvertently identified the wrong Paperwork Reduction Act package in our narrative and omitted several Office of Management and Budget (OMB) control numbers from Table 3.

On page 33881, in our discussion of the information collection requirements regarding medical savings account (MSA) medical loss ratio (MLR), we made inadvertent errors the amount of time it would take beneficiaries to complete an enrollment form.

On page 33883, in the table that provides a summary of the annual information collection burden (Table 6), we made the following typographical errors:

- In the table title, we included the term “requirements” instead of “burden”.

- In the SSBCI entries there were errors in the identification numbers in the “OMB Control No.” column.

- In the MSA MLR entries, there were errors in the values and numbers for the “Regulatory citation”, “OMB Control No.”, “Total number of respondents”, and the “Total number of responses”.

On pages 33889 and 33890, in the table that displays the per-year calculations regarding kidney acquisition costs (Table 11), we made inadvertent errors in the table title (we omitted “s” in the term “costs”). Additionally, on page 33890, the column headings are listed for the years 2013 to 2020 instead of 2021 to 2030.

### 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.

### IV. Correction of Errors

In FR Doc. 2020–11342 of June 2, 2020 (85 FR 33796), make the following corrections:

1. On page 33820, lower third of the page, the text box that includes the phrase “DISCLAIMER: Based on the tight time constraints and the need to expedite” is corrected by removing the text box.

2. On page 33876, lower three-fourths of the page (after the table), second column, sixth full paragraph, lines 6 and 7, the reference to “control number 0938–0763 (CMS–R–262)” is corrected to read “control number 0938–0753 (CMS–R–267)”.

3. On page 33877, lower third of the page, the table titled “TABLE 3—SUMMARY OF BURDEN FOR SSBCI AT § 422.102” is corrected by correcting the third column (OMB Control No.) for the listed entries (SSBCI provisions) to read as follows:

Provision	Regulatory citation	OMB Control No.	Subject	Number of respondents	Total number of responses	Time per response (hr)	Total time (hr)	Labor cost (\$/hr)	Annual cost (\$)
SSBCI .....	§ 422.102(f)(3)(i) .....	0938–0753	SSBCI: Criteria (Initial Software).	234	1	12	2808	103.33	96,717
SSBCI .....	§ 422.102(f)(3)(i) .....	0938–0753	SSBCI: Criteria (Physician review).	234	1	36	8424	193.7	1,631,729
SSBCI .....	§ 422.102(f)(3)(i) .....	0938–0753	SSBCI: Criteria (Software updates).	234	1	5	1170	85.26	99,754
SSBCI .....	§ 422.102(f)(3)(ii) .....	0938–0753	Written criteria .....	234	1	2	468	56.34	26,367
SSBCI .....	§ 422.102(f)(3)(iii) .....	0938–0753	Enrollee eligibility .....	234	1	9	2106	86.95	179,465

4. On page 33881, first column, fourth full paragraph, line 8, the phrase “0.5 hours at \$25.72/hr” is corrected to read “0.3333 hours at \$25.72/hr”

5. On page 33883, in the table titled “TABLE 6—ANNUAL INFORMATION COLLECTION REQUIREMENTS” the table is corrected by—

- a. Correcting the table title “TABLE 6—ANNUAL INFORMATION COLLECTION REQUIREMENTS” to read “TABLE 6—ANNUAL INFORMATION COLLECTION BURDEN”.

- b. Correcting the second (Regulatory citation), third (OMB Control No.), sixth

(Total number of respondents), and seventh columns (Total number of responses) for the listed entry (third row the first MSA MLR provision) to read as follows:

Provision	Regulatory citation	OMB Control No.	Respondent type	Response summary	Total number of respondents	Total number of responses	Time per response (hr)	Total annual time (hr)	Labor cost (\$/hr)	Total annual cost (\$)
MSA MLR .....	§ 422.2440 .....	0938-NEW ..	Enrollees .....	MSA MLR: Filling out enrollment forms..	2,765	2,765	0.3333	922	25.72	23,705

c. Correcting the identification numbers in third column (OMB Control No.) for the listed entries (SSBCI provisions) to read as follows:

Provision	Regulatory citation	OMB Control No.	Respondent type	Response summary	Total number of respondents	Total number of responses	Time per response (hr)	Total annual time (hr)	Labor cost (\$/hr)	Total annual cost (\$)
SSBCI .....	§ 422.102(f)(3)(i) .....	0938-0753 ..	MA Plans .....	SSBCI: Criteria (initial software update).	234	1	12	2808	103.33	96,717
SSBCI .....	§ 422.102(f)(3)(i) .....	0938-0753 ..	MA Plans .....	SSBCI: Criteria (Annual physician review).	234	1	36	8424	193.7	1,631,729
SSBCI .....	§ 422.102(f)(3)(i) .....	0938-0753 ..	MA Plans .....	SSBCI: Criteria (Software updates).	234	1	5	1170	85.26	99,754
SSBCI .....	§ 422.102(f)(3)(ii) .....	0938-0753 ..	MA Plans .....	SSBCI: Documentation.	234	1	2	468	56.34	26,367
SSBCI .....	§ 422.102(f)(3)(iii) .....	0938-0753 ..	MA Plans .....	SSBCI: Enrollee records.	234	1	9	702	86.95	61,039

d. Correcting the second (Regulatory citation) and seventh columns (Total number of responses) for the listed entries (the specified MSA MLR provisions) to read as follows:

Provision	Regulatory citation	OMB Control No.	Respondent type	Response summary	Total number of respondents	Total number of responses	Time per response (hr)	Total annual time (hr)	Labor cost (\$/hr)	Total annual cost (\$)
MSA MLR .....	§ 422.2440 .....	0938-0753 ..	MA Plans .....	MSA MLR: Notify enrollees.	8	2,765	0.0167	46	77.14	3,548
MSA MLR .....	§ 422.2440 .....	0938-0753 ..	MA Plans .....	MSA MLR: Submit to CMS.	8	2,765	0.0167	46	77.14	3,548
MSA MLR .....	§ 422.2440 .....	0938-0753 ..	MA Plans .....	MSA MLR: Archive	8	2,765	0.0833	230	36.82	8,481

e. Correcting column 2 (Regulatory citation) for the listed entry (the specified MSA MLR provision) to read as follows:

Provision	Regulatory citation	OMB Control No.	Respondent type	Response summary	Total number of respondents	Total number of responses	Time per response (hr)	Total annual time (hr)	Labor cost (\$/hr)	Total annual cost (\$)
MSA MLR .....	§ 422.2440 .....	0938-1252 ..	MA Plans .....	MSA MLR: Calculation of the deductible factor.	8	8	0.0833	0.6664	116.32	78

6. On pages 33889 and 33890, in the table titled "Table 11, Per-Year Calculations, Representing the Pre-Statute Baseline Based on Medicare FFS Coverage of Kidney Acquisition Cost", the table title and table are corrected to read as follows:

TABLE 11—PER-YEAR CALCULATIONS, REPRESENTING THE PRE-STATUTE BASELINE BASED ON MEDICARE FFS COVERAGE OF KIDNEY ACQUISITION COSTS

	2013	2014	2015	2016	2017	2018	2019	2020			
Kidney Acquisition Costs (PMPM): .....	1.72	1.82	1.95	2.08	2.20	2.34	2.49	2.65			
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021–2030
Kidney Acquisition Costs (PMPM): .....	2.82	3.00	3.20	3.40	3.62	3.85	4.10	4.36	4.64	4.94	.....
Medicare Advantage Enrollment Projection (000's): .....	24,690	25,624	26,508	27,380	28,237	29,070	29,861	30,607	31,313	32,035	.....
Gross Savings (\$Millions): .....	836.2	923.5	1,016.6	1,117.4	1,226.3	1,343.4	1,468.4	1,601.7	1,743.7	1,898.4	13,175.6
Average government share of Gross Savings: .....	83.0%	83.0%	83.0%	83.1%	83.2%	83.2%	83.2%	83.4%	83.4%	83.4%	.....
Net of Part B Premium: .....	85.6%	85.6%	85.5%	85.4%	85.3%	85.2%	85.0%	84.9%	84.9%	84.9%	.....
Net Savings (\$Millions): .....	594.1	655.7	721.5	792.3	869.5	951.7	1,038.9	1,134.1	1,235.9	1,345.6	9,339.3

Dated: October 1, 2020.

**Wilma M. Robinson,**

*Deputy Executive Secretary to the Department, Department of Health and Human Services.*

[FR Doc. 2020-22481 Filed 10-8-20; 8:45 am]

BILLING CODE 4120-01-P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 0, 1, 2, 3, 11, 15, 20, 24, 25, 27, 52, 64, 67, 68, 73, 74, 76, 79, 80, 87, 90, 95, and 101**

[DA 20-718; FRS 17030]

**Rule Modifications Reflecting New Address Location of Commission Headquarters**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Office of Managing Director of the Federal Communications Commission (Commission) adopts an Order that amends the Commission’s rules to reflect the upcoming new address of the Commission’s headquarters, 45 L Street NE, Washington, DC 20554. It also makes changes to clarify that certain documents are now available for inspection through the Commission’s website, removes references to a Commission copy contractor, and performs minor formatting corrections.

**DATES:** Effective October 13, 2020.

**FOR FURTHER INFORMATION CONTACT:** Warren Firschein, Office of Managing Director at (202) 418-2653 or Mindy Ginsburg, Office of Managing Director at (202) 418-0983.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s Order, DA 20-718, adopted and released on August 5, 2020. The full text of this document is available by downloading the text from the Commission’s website at <https://docs.fcc.gov/public/attachments/DA-20-718A1.pdf>.

**Synopsis**

**I. Administrative Matters**

*A. Final Regulatory Flexibility Analysis*

1. Section 603 of the Regulatory Flexibility Act, as amended, requires a regulatory flexibility analysis in notice and comment rulemaking proceedings. See 5 U.S.C. 603(a). As we are adopting these rules without notice and comment, no regulatory flexibility analysis is required.

*B. Final Paperwork Reduction Act of 1995 Analysis*

2. This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

*C. Congressional Review Act*

3. The Commission will not send a copy of the Order pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of agency organization, procedure, or practice that do not “substantially affect the rights or obligations of non-agency parties.” See 5 U.S.C. 804(3)(C).

**II. Introduction**

4. In the Order, the Office of Managing Director of the Federal Communications Commission amends the Commission’s rules to reflect the upcoming new address for the Commission’s headquarters, 45 L Street NE, Washington, DC 20554 in light of the Commission’s upcoming move to a new headquarters building.<sup>1</sup> In addition, the Order clarifies that certain documents are now available for inspection through the Commission’s website, removes references to a Commission copy contractor, and performs minor formatting corrections. Finally, the Order notes that in a separate order released on May 28, 2020, the Commission’s rules were amended to reflect the new address for filing hand-carried documents at the FCC’s headquarters and establish a new closing time for accepting such filings. Those changes remain in effect and are not impacted by the actions here.

5. This action is taken pursuant to the authority delegated by §§ 0.11 and 0.231 of the Commission’s rules, 47 CFR 0.11 and 0.231.

**III. Ordering CLAUSES**

6. *Accordingly*, pursuant to sections 4(e) and 5(e) of the Communications Act of 1934, as amended, 47 U.S.C. 154(e) and 155(d), *it is ordered* that the respective parts of the Commission’s rules are *amended* in the manner

<sup>1</sup> The Commission’s new headquarters is still under construction. Neither the Order, this summary, nor the rules amended constitute acceptance by the Commission or GSA of the new headquarters building.

indicated in the Appendix of the Order, to be effective 30 days after publication in the **Federal Register**.

**List of Subjects in 47 CFR Parts 0, 1, 2, 3, 11, 15, 20, 24, 25, 27, 52, 64, 67, 68, 73, 74, 76, 79, 80, 87, 90, 95, and 101**

Administrative practice and procedure.  
Federal Communications Commission.

**Marlene Dortch,**  
*Secretary, Office of the Secretary.*

**Final Rules**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 0, 1, 2, 3, 11, 15, 20, 24, 25, 27, 52, 64, 67, 68, 73, 74, 76, 79, 80, 87, 90, 95, and 101 as follows:

**PART 0—COMMISSION ORGANIZATION**

■ 1. The authority citation for part 0 continues to read as follows:

**Authority:** 47 U.S.C. 155, 225, unless otherwise noted.

■ 2. Amend § 0.401 by revising paragraphs (a)(1) introductory text, (a)(1)(i), and (a)(5) to read as follows:

**§ 0.401 Location of Commission offices.**

\* \* \* \* \*  
(a) \* \* \*

(1) The main office of the Commission is located at 45 L Street NE, Washington, DC 20554.

(i) Documents submitted by mail to this office should be addressed to: Federal Communications Commission, Washington, DC 20554.

\* \* \* \* \*

(5) The location of the Office of General Counsel is 45 L Street NE, Washington, DC 20554.

\* \* \* \* \*

■ 3. Amend § 0.434 by revising the third sentence to read as follows:

**§ 0.434 Data bases and lists of authorized broadcast stations and pending broadcast applications.**

\* \* \* The lists are available for public inspection at the FCC’s main office, located at the address indicated in § 0.401(a). \* \* \*

■ 4. Amend § 0.441 by revising paragraphs (a)(4) and (5) to read as follows:

**§ 0.441 General.**

(a) \* \* \*

(4) Correspondence to: Consumer and Governmental Affairs Bureau at the FCC’s main office, located at the address indicated in § 0.401(a).

(5) Visiting the Reference Information Center of the Consumer and