

TABLE 1—EPA-APPROVED NON-REGULATORY AND QUASI-REGULATORY MEASURES

Name of SIP provision	Applicable geographic or nonattainment area or title/subject	State submittal date	EPA approval date	Explanation
Revision of Rule 322 of the Maricopa County Air Pollution Control Regulations, Appendix 12: RACT Analyses Submitted to the Maricopa County Air Quality Department from the Arizona Public Service and the Salt River Project, only.	Maricopa County portion of Phoenix-Mesa nonattainment area for 2008 8-hour ozone NAAQS. Demonstrations for Equipment Under Rule 322, section 104.4, paragraph b.	June 30, 2021.	[INSERT Federal Register CITATION], December 30, 2022..	Submitted on June 30, 2021 under a letter dated June 24, 2021, as a part of the SIP revision for Maricopa County Rule 322. Required demonstrations from facilities that operate equipment seeking partial exemption from the rule through compliance with annual heat input limits.

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■ 3. Amend § 52.124 by adding paragraph (b) to read as follows.

**§ 52.124 Part D disapproval.**

\* \* \* \* \*

(b) The following Reasonably Available Control Technology (RACT) determinations are disapproved because they do not meet the requirements of Part D of the Clean Air Act.

(1) [Reserved]

(2) *Maricopa County Air Quality Department.* (i) RACT determinations for major sources of NO<sub>x</sub>, and CTG source categories for Aerospace Coating and Industrial Adhesives (“National Emission Standards for Hazardous Air Pollutants for Source Categories: Aerospace Manufacturing and Rework” (59 FR 29216), “Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations” (EPA-453/R-97-004), and “Control Techniques Guidelines for Miscellaneous Industrial Adhesives” (EPA-453/R-08-005)), in the submittal titled “Analysis of Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) State Implementation Plan (RACT SIP),” dated December 5, 2016, as adopted on May 24, 2017 and submitted on June 22, 2017.

(ii) [Reserved]

\* \* \* \* \*

**§ 52.133 [Amended]**

■ 4. Amend § 52.133 by removing and reserving paragraph (h).

[FR Doc. 2022-28272 Filed 12-29-22; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Parts 400, 406, 407, 408, 410, 423, 431, and 435**

[CMS-4199-CN]

RIN 0938-AU85

**Medicare Program; Implementing Certain Provisions of the Consolidated Appropriations Act, 2021 and Other Revisions to Medicare Enrollment and Eligibility Rules; Correction**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects technical and typographical errors that appeared in the final rule published in the **Federal Register** on November 3, 2022, entitled “Medicare Program; Implementing Certain Provisions of the Consolidated Appropriations Act, 2021 and other Revisions to Medicare Enrollment and Eligibility Rules.”

**DATES:** *Effective date:* This correcting document is effective on December 30, 2022.

**FOR FURTHER INFORMATION CONTACT:** Kristy Nishimoto, (206) 615-2367.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In FR Doc. 2022-23407 of November 3, 2022 (87 FR 66454), there were a several technical and typographical errors that are identified and corrected in this correcting document.

**II. Summary of Errors**

*A. Summary of Errors in the Preamble*

On page 66457, in a table that provides an example of the current entitlement dates compared to the revisions made by the Consolidated Appropriations Act, 2021 (CAA) there were inadvertent typographical errors in the formatting of a row of table.

On page 66468, in our discussion of the special enrollment period (SEP) to coordinate with termination of Medicaid coverage, we made typographical errors in referencing a regulatory citation.

On page 66496, in our discussion of the information collection requirements regarding beneficiary enrollment simplification, we inadvertently omitted a word.

*B. Summary of Errors in the Regulations Text*

On page 66506, in the amendatory instructions for § 407.25 we made a technical error in the instruction regarding paragraph (b)(3).

**III. Waiver of Proposed Rulemaking**

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** and invite public comment on the proposed rule in accordance with 5 U.S.C. 553(b) of the Administrative Procedure Act (APA). The notice of proposed rulemaking includes a reference to the legal authority under which the rule is proposed, and the terms and substances of the proposed rule or a description of the subjects and issues involved. This procedure can be waived, however, if an agency finds good cause that a notice-and-comment procedure is impracticable, unnecessary, or contrary to the public interest and incorporates a statement of the finding and its reasons in the rule issued.

We believe that this final rule correcting document does not constitute a rule that would be subject to the notice and comment or delayed effective date requirements. This document merely corrects minor typographical errors in the final rule, but it does not make substantive changes to the policies or the implementing regulations that were adopted in the final rule. As a result, this final rule correcting document is intended to ensure that the information in the final rule accurately reflects the policies and regulatory amendments adopted in that document.

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 minor corrections in this document into the final rule or delaying the effective date would be unnecessary, as we are not altering our policies or regulatory changes, but rather, we are simply implementing correctly the policies and regulatory changes that we previously proposed, requested comment on, and subsequently finalized. This final rule correcting document is intended solely to ensure that the final rule accurately reflects these policies and regulatory changes.

Furthermore, such notice and comment procedures would be contrary to the public interest because it is in the public's interest to ensure that the final rule accurately reflects our policies and regulatory changes. Therefore, we believe we have good cause to waive the notice and comment and effective date requirements.

**IV. Correction of Errors**

In FR Doc. 2022–23407 of November 3, 2022 (87 FR 66454), make the following corrections:

1. On page 66457, upper one-third of the page, the untitled table, the table is corrected to read as follows:

Enrolls:	Prior to 1/1/23—entitlement begins on:	On or after 1/1/23—entitlement begins on:
<i>In IEP</i>		
January .....	April 1 (month eligibility requirements first met) .....	April 1 (month eligibility requirements first met).
February .....	April 1 .....	April 1.
March .....	April 1 .....	April 1.
April .....	May 1 (month following month of enrollment) .....	May 1.
May .....	July 1 (second month after month of enrollment) .....	June 1.
June .....	September 1 (third month after month of enrollment) ....	July 1.
July .....	October 1 (third month after month of enrollment) .....	August 1.
<i>In GEP</i>		
January .....	July 1 .....	February.
February .....	July 1 .....	March.
March .....	July 1 .....	April.

2. On page 66468 in the first column, second full paragraph, last line, the regulatory citation “407.27(f)” is corrected to read “407.23(f)”.

3. On page 66468 in the third column, second full paragraph, line 11, the regulatory citation, “407.27(f)” is corrected to read “407.23(f)”.

4. On page 66496, first column, second full paragraph, line 4, the phrase, “Exceptional Conditions” is corrected to read “Other Exceptional Conditions”.

■ 5. On page 66506, third column, amendatory instruction 16 (§ 407.25), is corrected to read, “16. Effective January 1, 2023, § 407.25 is amended by revising paragraphs (a) and (b)(1) and adding paragraph (b)(3) to read as follows:”

**Elizabeth J. Gramling,**

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

[FR Doc. 2022–28359 Filed 12–29–22; 8:45 am]

**BILLING CODE 4120–01–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**42 CFR Parts 413 and 512**

[CMS–1768–CN]

**RIN 0938–AU79**

**Medicare Program; End-Stage Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals With Acute Kidney Injury, End-Stage Renal Disease Quality Incentive Program, and End-Stage Renal Disease Treatment Choices Model; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects technical errors that appeared in the November 7, 2022 **Federal Register** in the final rule entitled “Medicare Program; End-Stage Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals With Acute Kidney Injury, End-Stage Renal Disease Quality Incentive Program, and End-Stage Renal Disease Treatment Choices Model”

(referred to hereafter as the calendar year (CY) 2023 ESRD PPS final rule).

**DATES:** This correction is effective January 1, 2023.

**FOR FURTHER INFORMATION CONTACT:**

*ESRDPayment@cms.hhs.gov*, for issues related to the ESRD PPS and coverage and payment for renal dialysis services furnished to individuals with acute kidney injury (AKI).

*ESRDApplications@cms.hhs.gov*, for issues related to applications for the Transitional Add-On Payment Adjustment for New and Innovative Equipment and Supplies (TPNIES) or the Transitional Drug Add-on Payment Adjustment (TDAPA).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In FR Doc. 2022–23778 of November 7, 2022 (87 FR 67136), there were a number of typographical 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 that appeared in the November 7, 2022 **Federal Register**. Accordingly, the corrections are effective January 1, 2023.

**II. Summary of Errors**

On pages 67170 and 67171, we inadvertently made a typographical