

Environmental Protection Agency,
Washington D.C. 20460.

§ 271.14 [Corrected]

22. Section 271.14 is corrected by removing the words "and (f)" in § 271.14(u) and removing the citation "(c)" in § 271.14(v).

§ 271.20 [Corrected]

23. Section 271.20(c) is corrected by removing the citation "§ 271.3" and substituting the citation "§ 271.5" in the fourth line.

§ 271.121 [Corrected]

24. Section 271.121(b) is corrected by adding the word "first" between the words "The" and "phase" in the third line and is further amended by removing the words "(40 CFR Part 26)" and substituting the words "(40 CFR Part 261)" in the ninth line.

§ 271.126 [Corrected]

25. Section 271.126(a) is corrected by removing the "s" from the word "Administrators" in the seventeenth line of the paragraph.

PART 124—[AMENDED]

26. The authority citation for Part 124 reads as follows:

Authority: Resource Conservation and Recovery Act, 42 U.S.C. 6901 *et seq.*; Safe Drinking Water Act, 42 U.S.C. 300(f) *et seq.*; Clean Water Act, 33 U.S.C. 1251 *et seq.*; and Clean Air Act, 42 U.S.C. 1857 *et seq.*

27. In Part 124, the section number designation to the section entitled "Definitions" is corrected to read as follows:

§ 124.2 Definitions.

28. Section 124.10 is amended by removing the words "given" and "sections" and substituting the words "give" and "actions" in the first and second lines of paragraph (a)(1), respectively. Section 124.10 is further corrected by adding § 124.10(c)(1)(ix), re-numbering § 124.10(c)(2) as § 124.10(c)(2)(i), and adding § 124.10(c)(2)(ii) as follows:

§ 124.10 Public notice of permit actions and public comment period.

(c) * * *

(1) * * *

(ix)(A) To any unit of local government having jurisdiction over the area where the facility is proposed to be located; and (B) To each State agency having any authority under State law

with respect to the construction or operation of such facility.

(2)(i) For major permits and NPDES and 404 general permits, publication of a notice in a daily or weekly newspaper within the area affected by the facility or activity; and for EPA-issued NPDES general permits, in the Federal Register;

Note.—The Director is encouraged to provide as much notice as possible of the NPDES of 404 draft general permit to the facilities or activities to be covered by the general permit.

(ii) for all RCRA permits, publication of a notice in a daily or weekly major local newspaper of general circulation and broadcast over local radio stations.

PART 261—[AMENDED]

29. The authority citation for Part 261 reads as follows:

Authority: Secs. 1006, 2002(a), 3001 and 3005 of the Solid Waste Disposal Act, as amended by the Resource Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6921, and 6922).

§ 261.4 [Corrected]

30. Section 261.4(d) is amended by removing the words "Parts 262 through 267 or Part 122 or Part 124" and substituting the words "Parts 262 through 267 or Part 270 or Part 124" in the ninth line.

PART 264—[AMENDED]

31. The authority citation for Part 264 reads as follows:

Authority: Secs. 1006, 2002(a), 3004 and 3005 of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6924, and 6925).

§ 264.18 [Corrected]

32. The "Comment" following § 264.18(b)(2)(iii) is amended by removing the citation "§ 122.12" and substituting the citation "§ 270.3".

§ 264.53 [Corrected]

33. The "Comment" following § 264.53(b) is amended by removing the words "Part 122, Subparts A and B" and substituting the words "Part 270".

§ 264.147 [Corrected]

34. Section 264.147(c) is amended by removing the citation "§ 122.25" and substituting the citation "§ 270.14" in the fifteenth line. Sections 264.147 (c) and (d) are amended by removing the words "under §§ 122.15(a)(7)(iii)" and substituting the words "under § 270.41(a)(5)" in the next to last line of those paragraphs.

§ 264.341 [Corrected]

35. Section 264.341(a) is amended by removing the citations "§ 122.27(b)(2)" and "§ 122.27(b)(3)" and substituting the citations "§ 270.62(b)" and "§ 270.62(c)" in the seventh and eleventh lines, respectively.

PART 265—[AMENDED]

36. The authority citation for Part 265 reads as follows:

Authority: Secs. 1006, 2002(a), 3004, and 3005 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6905, 6908, 6912(a), 6924, and 6925).

§ 265.147 [Corrected]

37. Sections 265.147 (c) and (d) amended by removing the citation "§§ 122.15(A)(7)(iii)" and substituting the citation "§ 270.41(a)(5)" in the thirty-third and fortieth lines of those paragraphs, respectively.

§ 265.430 [Corrected]

38. Section 265.430(b) is amended by removing the citations "§§ 122.32(a)" and "§ 122.32(d)" and substituting the citations "§ 144.6(a)" and "§ 144.6(d)", respectively.

[FR Doc. 83-17508 Filed 6-29-83; 8:40 am]

BILLING CODE 5560-50-M

40 CFR Part 425

[WH-FRL-2390-8]

Leather Tanning and Finishing Industry Point Source Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correction of final rule; notice of availability and technical amendment.

SUMMARY: EPA is correcting errors that appeared in the limitations and standards for the leather tanning and finishing industry point source category that appeared in the Federal Register on November 23, 1982 (47 FR 52848). EPA also is announcing the supporting technical and economic documents through the National Technical Information Service (NTIS). Finally, EPA is announcing a technical amendment of the applicability date for the sulfide pretreatment standard.

FOR FURTHER INFORMATION CONTACT: Donald F. Anderson, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, SW.,

Washington, D.C. 20460, or by calling (202) 382-7189.

SUPPLEMENTARY INFORMATION: This notice is organized as follows:

- I. Availability of Documents and Summary of Corrections
- II. Technical Amendment

I. Availability of Documents and Summary of Corrections

Copies of the *Development Document for Effluent Limitations Guidelines and Standards for the Leather Tanning and Finishing Point Source Category*, EPA 440/1-82-016, November 1982, and the *Economic Impact Analysis of Effluent Limitations and Standards for the Leather Tanning Industry*, EPA 440/2-82-018, November 1982, are available and may be obtained by contacting the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Va 22161; (703) 487-4800.

Refer to accession number PB83-172593 for the Development Document, and accession number PB83-159228 for the Economic Impact Analysis. The cost is \$35.50 for a paper copy or \$4.50 for a microfiche copy of the Development Document, and \$17.50 for a paper copy or \$4.50 for a microfiche copy of the Economic Impact Analysis.

On November 23, 1982, EPA promulgated effluent limitations guidelines and standards for the leather tanning and finishing industry point source category, 47 FR 52848. This notice contained a number of errors. All of these errors are identified below. Most of the corrections are due to typographical errors. The Agency is correcting these errors. In other cases the Agency inadvertently omitted information. For example, the pretreatment standards for chromium were not applicable to plants discharging to publicly owned treatment works (POTWs) in subcategories 1, 3 and 9 if those plants processed less than a specified number of hides per day in their respective subcategories. The annual production data and the assumed production days underlying the number of hides per day specified were omitted from the notice. Accordingly, EPA is including this data.

In the preamble to the regulation published in the *Federal Register* on November 23, 1982 (47 FR 52848-52878), the following corrections are required:

1. At 47 FR 52848, column 3, line 20; correct "(3) hair save" to read "(3) hair save or pulp".
2. At 47 FR 52849, column 1, line 12, insert "(3.9 million pounds per year, at 260 working days per year)" after "275 hides per day".
3. At 47 FR 52849, column 1, line 13, insert "(5.5 million pounds per year, at

260 working days per year)" after "350 hides per day".

4. At 47 FR 52849, column 1, line 15, insert "(3.7 million pounds per year, at 260 working days per year)" after "3600 splits per day".
5. At 47 FR 52857, column 3, line 46, insert "(3.9 million pounds per year, at 260 working days per year)" after "275 hides per day".
6. At 47 FR 52857, column 3, line 47, insert "(5.5 million pounds per year, at 260 working days per year)" after "350 hides per day".
7. At 47 FR 52857, column 3, line 49, insert "(3.7 million pounds per year, at 260 working days per year)" after "3600 splits per day".
8. At 47 FR 52852, column 1, line 1 of 3rd paragraph; correct "plants" to read "plant's".
9. At 47 FR 52852, column 1, line 5 of 3rd paragraph; correct "plants" to read "plant's".
10. At 47 FR 52853, column 1, line 18; correct "flow data was" to read "flow data were".
11. At 47 FR 52853, column 3, line 28; correct "(1) Do" to read "(1) do".
12. At 47 FR 52854, column 1, line 40; correct "95 percent" to read "90 percent".
13. At 47 FR 52854, column 2, line 10; correct "non-water" to read "nonwater".
14. At 47 FR 52854, column 2, line 15; correct "10.5" to read "10.6".
15. At 47 FR 52854, column 2, line 61; correct "BOD" to read "BOD₅".
16. At 47 FR 52855, column 3, line 24; correct "epsom" to read "Epsom".
17. At 47 FR 52855, column 3, line 34; correct "epsom" to read "Epsom".
18. At 47 FR 52859, column 2, line 13; correct "10.5" to read "10.6".
19. At 47 FR 52865 through 52867 were printed out of order; the correct order is 52867, 52866, and 52865.
20. At 47 FR 52866, column 3, line 38; correct "tanning" to read "tannins".
21. At 47 FR 52868, column 1, line 67; correct "rquired" to read "required".
22. At 47 FR 52869, column 1, line 25; correct "intered" to read "entered".
23. At 47 FR 52869, Appendix B(1); correct "Bis(2-Chloroethyl) Ether" to read "Bis(2-Chloromethyl) Ether".
24. The Agency incorrectly listed pollutants in Appendix B of the *Federal Register* Notice. The following adjustments must be made:

- a. At 47 FR 52869, Appendix B(1); add: "Antimony", "Arsenic", "Beryllium", "Selenium", and "Thallium" after "2,3,7,8-Tetrachlorodibenzo-P-Dioxin".
- b. At 47 FR 52870, Appendix B(3); delete: "Antimony", "Arsenic", "Beryllium", "Selenium", and "Thallium"

c. At 47 FR 52870, Appendix B(5); delete:

Tetrachloromethane
Hexachlorobenzene
1,1,2-Trichloroethane
Dichlorobromomethane
Isophorone
Chrysene
Antimony
Arsenic
Asbestos
Beryllium
Selenium
Silver
Thallium

d. At 47 FR 52870, Appendix B(5); add:

Acenaphthene
2-Chloronaphthalene
Parachlorometa Cresol
1,3-Dichlorobenzene
Fluoroanthene
Butylbenzyl Phthalate
Dimethyl Phthalate
Acenaphthylene
Pyrene

These corrections are consistent with the record to this rulemaking.

In the regulation published in the *Federal Register* on November 23, 1982 (47 FR 52848), the following corrections are required:

1. In the authority statement in 47 FR 52871, revise "1337" to read "1317".
2. There is an error in the analytical method for sulfide contained in 40 CFR 425.03(c)(4). Specifically, the equivalence of analytical reagent, ferricyanide, was incorrectly correlated with sodium sulfide rather than sulfide. Therefore, in 40 CFR 425.03(c)(4), correct "1 ml 0.1 N ferricyanide = 0.00390 g. Na₂S" to read "1 ml 0.1 N ferricyanide = 0.00160 g. S⁻²".
3. An error was found in the calculation of NSPS mass limitations for subcategory no. 1. Therefore, the table for 40 CFR 425.14 should be revised as follows:

Pollutant or pollutant property	NSPS	
	Maximum for any 1 day	Maximum for monthly average
	Kg/kg (or 1b/1,000 lb) of raw material	
BOD ₅	6.0	2.7
TSS	8.7	4.0
Oil and grease	2.5	1.1
Total chromium	0.16	0.06
pH	(¹)	(¹)

¹ Within the range 6.0 to 9.0.

4. At 40 CFR 425.15(b), insert the phrase "(3.9 million pounds per year, at 260 working days per year)" after "275 hides/day".
5. At 40 CFR 425.35(b), insert the phrase "(5.4 million pounds per year, at

260 working days per year)" after "350 hides/day".

6. At 40 CFR 425.95(b), insert the phrase "(3.7 million pounds per year, at 260 working days per year)" after "3600 splits/day".

7. At 40 CFR 425.81 (BPT); revise: "Within the range 6.0 to 6.9" to read "Within the range 6.0 to 9.0".

II. Technical Amendment

In the preamble to the effluent limitations guidelines and standards for the leather tanning and finishing industry which were promulgated on November 23, 1982, EPA noted that the reporting requirements of 40 CFR 425.04 (b) and (c) contain information requirements which were under review at the Office of Management and Budget (OMB) (47 FR 52848). The Agency erroneously made the reporting requirements in 40 CFR 425.04(c) applicable from the effective date of the regulation. However, in accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), those provisions are not effective until OMB approval has been obtained. OMB approved these reporting requirements on May 18, 1983.

The Agency is announcing today the approval of these reporting requirements by OMB. In conformance with this approval, the Agency will include the OMB control number in 40 CFR 425.04 and will revise the effective dates of the reporting requirements, using the same intervals represented by the dates published in the Federal Register notice at 47 FR 52848. These changes are not substantive in nature. The regulations are revised as follows:

1. 40 CFR 425.04(c)(1) (47 FR 52872) refers to "March 7, 1983". This is revised to read "February 22, 1983".

2. 40 CFR 425.04(c)(2) (47 FR 52872) refers to "June 5, 1983". This is revised to read "May 23, 1983".

3. 40 CFR 425.04(c)(3) (47 FR 52872) refers to "July 5, 1983". This is revised to read "June 22, 1983".

4. At the end of 40 CFR 425.04(c)(5), the following language is added: "(Approved by the Office of Management and Budget under control number 2040-0032)".

Dated: June 22, 1983.

Rebecca W. Hammer,

Acting Assistant Administrator for Water.

[FR Doc. 83-17728 Filed 6-29-83; 8:45 am]

BILLING CODE 6560-50-M

VETERANS ADMINISTRATION

41 CFR Parts 8-4 and 8-75

Consulting and Related Services; and Special and Limited Delegations

AGENCY: Veterans Administration.

ACTION: Final rule.

SUMMARY: This revision amends the Veterans Administration Procurement Regulations by limiting the use of letters of agreement to \$500 per letter and to an accumulated total of \$2,500 annually to any individual or firm for the purpose of obtaining consulting services. The delegated authority to utilize letters of agreement previously prescribed by the Veterans Administration Procurement Regulations was considered too broad; therefore, restrictions on the use of such agreements are effected by this revision both in terms of prescribed maximum dollar limitations and in clearly specified types of services which may be obtained through the use of letters of agreement.

EFFECTIVE DATE: This rule is effective June 30, 1983.

FOR FURTHER INFORMATION CONTACT: Thomas A. Hamilton, Policy and Interagency Service, Office of Procurement and Supply, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 389-2334.

SUPPLEMENTARY INFORMATION: The Administrator hereby certifies that this final rule, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), this final rule is therefore exempt from the initial and final regulatory flexibility analysis requirements of Section 603 and Section 604. The reason for this certification is because this rule is not likely to result in a major increase in costs to consumers or others, or to have other significant adverse effects.

It is the general policy of the VA to allow time for interested persons to participate in the rulemaking process (38 CFR 1.12). Since this amendment only affects internal procedures, the rulemaking process is considered unnecessary in this instance.

List of Subjects in 41 CFR Parts 8-4 and 8-75

Government procurement, Livestock, Utilities, Veterans Administration, Authority delegations (Government agencies).

Approved: June 24, 1983.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

Part 8-4, Special Types and Methods of Procurement, and Part 8-75, Delegations of Authority are amended as follows:

PART 8-4—[AMENDED]

1. In § 8-4.803-51, paragraphs (a), (b), (c) and (d) are revised and are redesignated as paragraphs (a), (b) and (c); paragraphs (e) and (f) are redesignated as paragraphs (d) and (e). Revised paragraphs (a), (b) and (c) read as follows:

§ 8-4.803-51 Special controls for letters of agreement.

(a) Letters of agreement may be used to procure consulting services and advisory board memberships only by those individuals designated in § 8-75.201-17(a) and individuals delegated authority under the conditions specified in paragraph (b) of that section, and will be limited to a value of \$500 per letter and to an accumulated annual total of \$2,500 to any individual or firm. Letters of agreement should only be used where normal procurement channels are not feasible and only for obtaining the following services:

(1) Consultant services including peer review of research proposals and advisory board memberships (§ 8-4.802).

(2) Management and professional services (§ 8-4.853).

(3) Instructors and training obtained pursuant to Section 4122, Title 38, United States Code.

(b) The delegated official will perform or have performed for each letter of agreement all those duties and requirements prescribed in this subpart, as modified by paragraphs (c) and (d) of this section. That official will also insure that all reporting requirements are completed for each action.

(c) The department or staff office head will be the highest level approving official for each procurement action which does not exceed \$500 in consulting fees (excluding travel, per diem and other travel-related costs) and which does not award more than an accumulated total of \$2,500 per year in consulting fees to any individual or firm. (Consulting services anticipated to exceed these dollar limitations will not be obtained through letters of agreement.)

§ 8-4.804 [Amended]

2. In § 8-4.804, paragraph (c) is revised by adding the sentence "Reports Control Symbol 91-4 has been assigned to this report." at the end of paragraph (c).

PART 8-75—[AMENDED]**§ 8-75.201-16 [Amended]**

3. In § 8-75.201-16, paragraph (d) is revised by adding the words ", U.S. Government Purchase Order—Invoice—Voucher," after the words "SF 44".

4. Section 8-75.201-17 is revised to read as follows:

§ 8-75.201-17 Letters of agreement.

(a) Authority to execute, award, and administer letters of agreement as prescribed in § 8-4.803-51 is delegated to the following:

- (1) General Counsel.
- (2) Director, Office of Personnel and Labor Relations.
- (3) Chief Medical Director.
- (4) Chief Benefits Director.
- (5) Chief Memorial Affairs Director.
- (6) Director, Office of Procurement and Supply.
- (7) Inspector General.
- (8) Directors, Regional Medical Education Centers (limited to obtaining instructors and training pursuant to Section 4122, Title 38, United States Code).
- (9) Directors, Domiciliary and Medical Centers (limited to obtaining peer review of research (see § 8-4.803-51).

(b) The contracting officers named in paragraphs (a)(1) through (a)(7) of this section may designate one or more subordinates, and authority to execute the same duties and responsibilities is hereby delegated to such subordinates. Such subordinates will be no more than one organizational level below the contracting officers designated in paragraph (a), except that the Chief Medical Director may designate the Regional Directors. All such designations will be in writing, will specifically state the scope and limitations of the designees' contractual authority, and will also specifically prohibit further delegation by the designees. Copies of all designations will be forwarded to the Director, Office of Procurement and Supply (93).

(c) Copies of all letters of agreement issued by the designees identified in paragraphs (a) and (b) will be forwarded to the servicing procuring activity in order that the procurement action may be entered into the Federal Procurement Data System.

[38 U.S.C. 210(c); 40 U.S.C. 486(c)]

[FR Doc. 83-17674 Filed 6-29-83; 8:45 am]

BILLING CODE 8320-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Health Care Financing Administration****42 CFR Part 421****Medicare Program; Nonrenewal of Carrier Contracts**

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule with comment period.

SUMMARY: In this rule, we are revising the wording of current regulations that concern the nonrenewal of a contract between HCFA and a carrier when the contract expires. The regulations now refer to the "termination" of a contract, rather than "nonrenewal," which describes the actual process.

DATES: These regulations are effective upon publication. The regulations are being published in final for reasons described in the Supplementary Information below. However, we will consider any written comments mailed by August 1, 1983, and revise the regulations, if necessary.

ADDRESSES: Please address your comments in writing to: Health Care Financing Administration, Department of Health and Human Services, Attention: BPO-38-FC, P.O. Box 17073, Baltimore, MD 21235.

If you prefer, you may deliver your comments to Room 309-G, Hubert H. Humphrey Building, 200 Independence Avenue, S.W., Washington, D.C., or to Room 132 East High Rise Building, 6325 Security Boulevard, in Baltimore.

In commenting, please refer to file code BPO-38-FC.

Comments will be available for public inspection, beginning approximately 2 weeks from today in Room 309-G of the Department's offices at 200 Independence Avenue, S.W., Washington, D.C., on Monday through Friday of each week from 8:30 a.m. to 5:00 p.m. (telephone 202-245-7890).

FOR FURTHER INFORMATION CONTACT: Bernard Gelber, 301-594-9700.

SUPPLEMENTARY INFORMATION: Under section 1842 of the Social Security Act (the Act), the Secretary may contract with private agencies or organizations to serve as "carriers" in the administration of supplementary medical insurance (Part B of the Medicare program). The carriers perform the bulk of the claims processing and benefit payment functions.

A beneficiary who receives services under Part B may pay the physician or other supplier of services directly and be reimbursed by the carrier, or the beneficiary may assign the right to

payment to the physician or supplier who, in turn, is reimbursed by the carrier. In either case, the carrier determines whether the services provided are covered, whether the services are medically necessary, and whether the charges for the services are reasonable.

Section 1842(b)(4) of the Act requires that a contract with a carrier be for a term of at least one year and allows contracts to be automatically renewed. A contract is automatically renewed unless either party notifies the other party of its intention not to renew the contract before the end of the current term. Specifically, the regulations at 42 CFR 421.204, which implement this statutory provision, provide that the contract continues from term to term unless "either party gives at least 90 days notice of its intention to terminate it at the end of the current term".

In addition, section 1842(b)(4) allows the Secretary to terminate a carrier contract at any time (i.e., during the term of the contract) if the Secretary finds that the carrier has failed substantially to carry out the contract or is carrying out the contract in a manner that is inconsistent with the efficient and effective administration of the supplementary medical insurance program. These provisions are in regulations at 42 CFR 421.205. The Act also requires the Secretary to have in place procedures that provide the carrier with reasonable notice and an opportunity for a hearing before the termination of a contract for cause during the term of the contract. The regulations allow a carrier 20 days to request a hearing after notification of the Secretary's notice of his or her intent to terminate a contract for cause during the term of the contract.

A question of interpretation has arisen as to whether the statute and regulations require the Secretary to give a carrier an opportunity for a hearing before the Secretary decides not to renew a contract whose term has expired. We believe it is clear from the statute that Congress intended to provide a hearing only in cases where the contract is being terminated for cause during the term of the contract. In that case, the statute and the regulations provide the carrier with an opportunity to rebut the Secretary's findings of a cause sufficient to terminate the contract.

Therefore, we are clarifying the language in § 421.204. Provision for automatic renewal of contracts, to provide that in a contract with an automatic renewal provision, either party may choose not to renew (rather