

Dated: July 5, 1995.

David A. Ullrich,

Acting Regional Administrator.

Title 40 of the Code of Federal Regulations, chapter I, parts 52 and 81, are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.1870 is amended by adding a new paragraph (c)(105) to read as follows:

§ 52.1870 Identification of plan.

* * * * *

(c) * * *

(105) On September 17, 1993, the Ohio Environmental Protection Agency requested the redesignation of Lucas and Wood Counties to attainment of the

National Ambient Air Quality Standard for ozone. To meet the redesignation criteria set forth by section 107(d)(3)(E) (iii) and (iv), Ohio credited emissions reductions from the enclosure of the “oily ditch” at the British Petroleum Refinery in Oregon, Ohio. The USEPA is approving the Director’s Finding and Order which requires the enclosure of the “oily ditch” into the SIP for Lucas and Wood Counties.

(i) Incorporation by reference.

(A) letter dated June 2, 1994, from Donald R. Schregardus, Director, Ohio Environmental Protection Agency, to Valdas Adamkus, Regional Administrator, USEPA, Region 5, and one enclosure which is the revised Director’s Final Findings and Orders in the matter of BP Oil company, Toledo Refinery, 4001 Cedar Point Road, Oregon, Ohio, Fugitive Emissions from the Refinery Waste Water System “Oily Ditch”, effective June 2, 1994.

3. Section 52.1885 is amended by adding paragraph (b)(5) to read as follows:

§ 52.1885 Control Strategy: Ozone.

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(b) * * *

(5) Lucas and Wood Counties.

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PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 81.336 is amended by revising the entry in the ozone table for Toledo to read as follows:

§ 81.336 Ohio.

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OHIO—OZONE

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Toledo area:				
Lucas County	August 1, 1995	Attainment.		
Wood County	August 1, 1995	Attainment.		
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

¹ This date is November 15, 1990, unless otherwise noted.

[FR Doc. 95–18510 Filed 7–31–95; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 409 and 484

[BPD–469–CN]

RIN 0938–AD78

Medicare Program; Medicare Coverage of Home Health Services, Medicare Conditions of Participation, and Home Health Aide Supervision; Correction

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

ACTION: Final rule; correction.

SUMMARY: This document corrects several errors made in a final rule published on December 20, 1994 (59 FR 65482) concerning Medicare coverage of home health services, Medicare

conditions of participation, and home health aide supervision.

EFFECTIVE DATE: February 21, 1995.

FOR FURTHER INFORMATION CONTACT: Julie Brown, (410) 966–4669.

SUPPLEMENTARY INFORMATION:

Background

On December 20, 1994, we published a final rule concerning Medicare coverage of home health services, Medicare conditions of participation, and home health aide supervision. (59 FR 65482) In it were a number of technical errors:

When revising our regulations at 42 CFR 409.42(d) (redesignated as § 409.42(b)), we inadvertently revised obsolete regulations text.

When adding § 409.45, we overlooked the statutory name change in section 1861(b)(6) of the Social Security Act as amended by section 4039(b)(2) of the Omnibus Budget Reconciliation Act of 1987.

When adding § 484.36(d)(4)(iii), we overlooked the training requirements in § 484.36(b). However, we proposed the

addition of paragraph (d)(4) in order to identify the responsibilities of an HHA or hospice that furnishes services under arrangement, including “ensuring that the aides have met the training requirements.” (56 FR 49157) Section 484.36(b) contains training requirements.

There were also a number of incorrect crossreferences.

Correction of Publication

Accordingly, the publication on December 20, 1994, of the final regulation, which was the subject of FR Doc. 94–31062, is corrected as follows:

§ 409.42 [Corrected]

Page 65494, column 1: In § 409.42(b), line 6, the words “with the HHA’s policy and” are removed.

Page 65494, column 1: In § 409.42(c)(2), (c)(3), and (c)(4), the phrase “§ 409.44(b)” is revised to read “§ 409.44(c)”.

§ 409.45 [Corrected]

Page 65495, column 2: In § 409.45(a), the phrases “§ 409.44(a)” and