

maintain at least the same level of treatment as when the equivalent mass limit was established.

(c) If a categorical Participating Industrial User of the Owatonna Waste Water Treatment Facility has demonstrated through sampling and other technical factors, including a comparison of three years of effluent data with background data, that pollutants regulated through categorical Pretreatment Standards, other than 40 CFR part 414, are not expected to be present in quantities greater than the background influent concentration to the industrial process, the City of Owatonna may reduce the sampling frequency specified in § 403.8(f)(2)(v) to once during the term of the categorical Participating Industrial User's permit.

(d) If a Participating Industrial User is discharging to the Owatonna Waste Water Treatment Facility in Owatonna, Minnesota and is subject to a categorical Pretreatment Standard other than one codified at 40 CFR part 414, the City of Owatonna may authorize the Participating Industrial User to forego sampling of a pollutant if the Participating Industrial User has demonstrated through sampling and other technical factors, including a comparison of three years of effluent data with background data, that the pollutant is not expected to be present in quantities greater than the background influent concentration to the industrial process, and the Participating Industrial User certifies on each report, with the following statement, that there has been no increase in the pollutant in its wastestream due to activities of the Participating Industrial User. The following statement is to be included as a comment to the periodic reports required by § 403.12(e):

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR \_\_\_\_\_, I certify that, to the best of my knowledge and belief, the raw materials, industrial processes, and potential by-products have not contributed this pollutant to the wastewaters since filing of the last periodic report under 40 CFR 403.12(e)."

(e) If the average daily loading from the Participating Industrial Users to the Owatonna Waste Water Treatment Facility is equal to or less than 0.68 pounds per day of chromium, 0.25 pounds per day of copper, 1.17 pounds per day of nickel, and 1.01 pounds per day of zinc, Owatonna may authorize a categorical Participating Industrial User to satisfy the reporting requirements of § 403.12(e) with an annual report provided on a date specified by

Owatonna, provided that the Participating Industrial User has no reasonable potential to violate a Pretreatment Standard for any pollutant for which reduced monitoring is being allowed, and has not been in Significant Noncompliance within the previous three years.

(f) The Owatonna Waste Water Treatment Facility in Owatonna, Minnesota shall post public notice of all Significant Noncompliance subject to the publication requirement in § 403.8(f)(2)(vii) at the Minnesota Pollution Control Agency website for a period of one year, as soon as practicable upon identifying the violations. In addition, the Owatonna Waste Water Treatment Facility shall post an explanation of how Significant Noncompliance is determined, and a contact name and phone number for information regarding other, non-Significant Noncompliance violations. If a violation is not corrected within thirty (30) calendar days or results in pass through or interference at the Owatonna Waste Water Treatment Facility, publication must also be made in the format specified in § 403.8(f)(2)(vii).

(g) The provisions of this section shall expire on October 6, 2005.

[FR Doc. 00-25746 Filed 10-5-00; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

#### 42 CFR Parts 412, 413 and 489

[HCFA-1005-CN2]

RIN 0938-A156

#### Medicare Program; Prospective Payment System for Hospital Outpatient Services; Delay of Effective Date

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

**ACTION:** Correction.

**SUMMARY:** This document corrects several typographical errors that appeared in the notice of delay of effective date for the final rule with comment period published in the **Federal Register** on June 30, 2000, entitled "Medicare Program; Prospective Payment System for Hospital Outpatient Services; Delay of Effective Date."

**EFFECTIVE DATE:** August 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Janet Wellham, (410) 786-4510.

**SUPPLEMENTARY INFORMATION:**

## Background

In FR Doc. 00-16586 of June 30, 2000 (65 FR 40535), there were several typographical errors. The provisions in this correction notice are effective as if they had been included in the document published in the **Federal Register** on June 30, 2000.

## Correction of Errors

In FR Doc. 00-16586 on June 30, 2000, make the following corrections:

1. On page 40535, column three, in the **DATES** section, "§ 412.24" is corrected to read "§ 413.24", and § 489.24(h) is corrected to read "§ 489.24."

2. On page 40537, column one, the third full paragraph, line two, "§ 412.24" is corrected to read "§ 413.24", and "§ 489.24(h)" is corrected to read "§ 489.24."

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 21, 2000.

**Brian P. Burns,**

*Deputy Assistant Secretary for Information Resources Management.*

[FR Doc. 00-25498 Filed 10-5-00; 8:45 am]

BILLING CODE 4120-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

#### 42 CFR Part 422

[HCFA-1030-CN2]

RIN 0938-A129

#### Medicare Program; Establishment of the Medicare+Choice Program; Correction

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

**ACTION:** Final rule with comment period; Correction.

**SUMMARY:** On June 29, 2000, we published in the **Federal Register**, at 65 FR 40170, a final rule with comment period that responded to comments on the June 26, 1998 interim final rule that implemented the Medicare+Choice (M+C) program and made revisions to those regulations where warranted. We also made revisions to the regulations that were necessary to reflect the changes to the M+C program resulting from the Balanced Budget Refinement Act of 1999. This document corrects omissions made in the June 29, 2000 document regarding deeming status. **EFFECTIVE DATE:** July 31, 2000.

**FOR FURTHER INFORMATION CONTACT:**  
Trisha Kurtz, (410) 786-4670.

**SUPPLEMENTARY INFORMATION:** In our final rule published June 29, 2000 (65 FR 40170), on page 40232 of the preamble, we responded to public comments that addressed our authority under § 422.156 (Compliance deemed on the basis of accreditation), paragraph (e)(1), to remove deemed status on the basis of a review of accreditation results. In the preamble, we clarified that we do not intend to overrule an accreditation organization's survey decision without conducting our own investigation. We also noted that if our own investigation reveals that a condition is not met, we reserve the right to remove the MCO's deemed status even when the accreditation organization has not removed accreditation with respect to that condition. In order to clarify the distinction between: (1) A removal of deemed status by HCFA, based on HCFA's own survey; and (2) a removal based on a determination of noncompliance by an accreditation organization as a result of its accreditation survey, we stated that we would revise § 422.156(e)(1). However, we inadvertently omitted making this change in the regulations text. This document corrects that omission by revising § 422.156(e)(1).

In addition, on pages 40233 through 40234 of the preamble, we responded to a commenter's concern regarding removal of an accreditation organization's approval, regardless of the "rate of disparity" between certification by the accreditation organization and certification by HCFA or our agent, by adding another reporting requirement in § 422.157 (Accreditation organizations), paragraph (c)(6). This change requires that accreditation organizations provide us annually with summary data relating to their accreditation activities and observed trends. These data will assist us in making a comprehensive assessment of accreditation organizations' performance, and will help ensure that our oversight decisions are well-informed and appropriate. However, this change was inadvertently omitted in the final regulations text. This document corrects that omission by adding § 422.157(c)(6).

#### Correction of Errors

#### Regulations Text

##### § 422.156 [Corrected]

1. On page 40323, in column 2, amendatory instruction number 29 is corrected to read "Revise paragraphs (a), (b), and (e)(1) in § 422.156 to read as

follows:" and corrected paragraph (e)(1) is added:

##### § 422.156 Compliance deemed on the basis of accreditation.

\* \* \* \* \*

(e) \* \* \*  
(1) HCFA determines, on the basis of its own investigation, that the M+C organization does not meet the Medicare requirements for which deemed status was granted.

\* \* \* \* \*

##### § 422.157 [Corrected]

1. On page 40323, in column 3, amendatory instruction number 30 is corrected to read "Section 422.157 is amended by republishing the introductory text for paragraph (a), revising paragraphs (a)(3) and (b)(1), and adding new paragraph (c)(6) to read as follows:" and new paragraph (c)(6) is added:

##### § 422.157 Accreditation organizations.

\* \* \* \* \*

(c) \* \* \*

(6) Provide, on an annual basis, summary data specified by HCFA that relate to the past year's accreditation activities and trends.

\* \* \* \* \*

(Authority: Sections 1851 through 1859 of the Social Security Act (42 U.S.C. 1395w-21 through 1395w-28))

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93-774, Medicare—Supplementary Medical Insurance Program)

Dated: September 28, 2000.

**Brian P. Burns,**

*Deputy Assistant Secretary for Information Resources Management.*

[FR Doc. 00-25499 Filed 10-5-00; 8:45 am]

**BILLING CODE 4120-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 25

[IB Docket No. 00-91; FCC 00-340]

#### Availability of Intelsat Space Segment Capacity

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Communications Commission has determined that users and service providers do not have sufficient opportunity to access INTELSAT space segment capacity directly from INTELSAT to meet their service and capacity requirements. The

Commission also has required Comsat to enter into commercial negotiations with direct access customers to attempt to resolve satellite capacity allocation issues.

**DATES:** Effective October 6, 2000 written comments by the public on the new information collections are due December 5, 2000.

**ADDRESSES:** Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, SW, Washington, DC, 20554. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (May 1, 1998). Comments filed through the ECFS can be sent via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption proceeding, however, commenters must transmit one copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form@your e-mail address." A sample form and directions will be sent in reply.

A copy of any comments on the information collection requirements should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC, 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** James Ball, International Bureau, (202) 418-0427; Steven Spaeth, Satellite Policy Branch, Satellite and Radiocommunication Division, International Bureau, (202) 418-1539. A copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted September 13, 2000, and released September 19, 2000. The full text of this Commission decision is available for inspection and copying