

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 22**

[EPA-HQ-OECA-2014-0551; FRL-9922-62-OECA]

**Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits; Correction****AGENCY:** Environmental Protection Agency.**ACTION:** Correcting amendment.

**SUMMARY:** The Environmental Protection Agency (EPA) published a document in the **Federal Register** on November 6, 2014. That document included the correct mailing and hand delivery addresses for the Environmental Appeals Board, but inadvertently failed to omit the incorrect addresses. This amendment deletes the incorrect addresses.

**DATES:** Effective on March 13, 2015.

**FOR FURTHER INFORMATION CONTACT:** Ammie Roseman-Orr, Environmental Appeals Board, U.S. Environmental Protection Agency, William Jefferson Clinton Building East, Room 3332, 1200 Pennsylvania Ave. NW., Mail Code 1103M, Washington DC 20460, phone number (202) 233-0122 or by email at [roseman-orr.ammie@epa.gov](mailto:roseman-orr.ammie@epa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The rule amendment published on November 6, 2014 (79 FR 65897), corrected the mailing and hand delivery addresses for the Environmental Appeals Board in § 22.5(a) to reflect the Board's relocation. The rule also revised § 22.30(a)(1) by adding a reference to the corrected addresses in § 22.5(a). This amendment, however, inadvertently did not omit the Board's incorrect addresses in the second and third sentences of § 22.30(a)(1).

**Need for Correction**

As published on November 6, 2014 (79 FR 65897), the final regulation contains an error which may prove to be misleading and is in need of clarification.

**List of Subjects in 40 CFR Part 22**

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Hazardous waste, Penalties, Pesticides and pests, Poison prevention, Water pollution control.

Dated: February 19, 2015.

**Nanci E. Gelb,***Acting Assistant Administrator, Office of Administration and Resources Management.*

Accordingly, 40 CFR part 22 is corrected by making the following correcting amendment:

**PART 22—CONSOLIDATED RULES OF PRACTICE GOVERNING THE ADMINISTRATIVE ASSESSMENT OF CIVIL PENALTIES AND THE REVOCATION, TERMINATION OR SUSPENSION OF PERMITS**

■ 1. The authority citation for part 22 continues to read as follows:

**Authority:** 7 U.S.C. 136(l); 15 U.S.C. 2615; 33 U.S.C. 1319, 1342, 1361, 1415 and 1418; 42 U.S.C. 300g-3(g), 6912, 6925, 6928, 6991e and 6992d; 42 U.S.C. 7413(d), 7524(c), 7545(d), 7547, 7601 and 7607(a), 9609, and 11045.

**§ 22.30 [Corrected]**

■ 2. In § 22.30, paragraph (a)(1) is amended by removing the second and third sentences.

[FR Doc. 2015-05438 Filed 3-12-15; 8:45 am]

**BILLING CODE 6560-50-P****DEPARTMENT OF HEALTH AND HUMAN SERVICES****Centers for Medicare & Medicaid Services****42 CFR Parts 405, 411, 413 and 414**

[CMS-1614-CN]

**RIN 0938-AS13****Medicare Program; Quality Incentive 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 November 6, 2014 entitled "End-Stage Renal Disease Prospective Payment System, Quality Incentive Program, and Durable Medical Equipment, Prosthetics, Orthotics, and Supplies."

**DATES:** This correction is effective on March 13, 2015.**FOR FURTHER INFORMATION CONTACT:**

Tamyra Garcia, (410) 786-0856.

**SUPPLEMENTARY INFORMATION:****I. Background**

In FR Doc. 2014-26182 of November 6, 2014 (79 FR 66120), there were technical and typographical errors that

are identified and corrected in the Correction of Errors section below. The provisions in this correction document are effective as if they had been included in the document published on November 6, 2014. Accordingly, the corrections are effective March 13, 2015.

**II. Summary of Errors**

On page 66184 of the preamble, we have determined that there were errors in the performance standard, achievement threshold, and benchmark values presented in the Numerical Values for the Performance Standards for the Payment Year (PY) 2017 End-Stage Renal Disease (ESRD) Quality Incentive Program (QIP) Clinical Measures Using the Most Recently Available Data table for PY 2017 of the ESRD QIP (Table 23). Specifically, the numerical values published for the Standardized Readmission Ratio clinical measure were calculated using only 6 months of data from calendar year 2013 instead of the full 12 months, as specified under our finalized policy (79 FR 66183). Therefore, we are publishing this technical correction to ensure that these numerical standards align with the finalized policies for the PY 2017 ESRD QIP.

**III. Waiver of Proposed Rulemaking**

We ordinarily publish a notice of proposed rulemaking in the **Federal Register** to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However, we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons; therefore, in the notice.

Since this rule correction is simply correcting technical and typographical errors in the preamble, but does not make substantive changes to the policies or payment methodologies that were adopted in the final rule, it is unnecessary to follow the notice and comment procedure in this instance. Therefore, we believe that we have good cause to forego notice and a period for comment.

**IV. Correction of Errors**

In FR Doc. 2014-26182 of November 6, 2014 (79 FR 66120) make the following corrections:

1. On page 66184, in Table 23 "Numerical Values for the Performance Standards for the PY 2017 ESRD QIP Clinical Measures Using the Most

Recently Available Data”; in the fifth row titled “Standardized Readmission Ratio” remove the existing values and add the following values in their place:

Measure	Performance standard	Achievement threshold	Benchmark
Standardized Readmission Ratio .....	0.648	1.261	0.998

Dated: March 6, 2015.  
**C’Reda Weeden,**  
*Executive Secretary to the Department,  
 Department of Health and Human Services.*  
 [FR Doc. 2015–05766 Filed 3–12–15; 8:45 am]  
**BILLING CODE 4120–01–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Part 18**

**Official Symbol, Logo and Seal**

**AGENCY:** Office of the Secretary, HHS.  
**ACTION:** Final rule.

**SUMMARY:** The U.S. Department of Health and Human Services (HHS) is adopting final regulations containing a description of its official symbol, logo, and seal.

**DATES:** This rule is effective April 13, 2015 without further action.

**FOR FURTHER INFORMATION CONTACT:** Gloria Barnes, Office of the Assistant Secretary for Public Affairs (*gloria.barnes@hhs.gov*).

**SUPPLEMENTARY INFORMATION:** HHS is adopting regulations (45 CFR part 18) describing its official logo and seal. HHS has developed a symbol, logo, and seal that signifies the authoritativeness of the item or document to which it is affixed as an official endorsement of HHS. Pursuant to 5 U.S.C. 553(b)(A), notice and comment are not required because this rule only impacts HHS’ procedure and practice. In addition, pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive notice and comment as unnecessary, because this rule is non-controversial and merely describes HHS’ official symbol, logo, and seal.

HHS previously published a Direct Final Rule on April 14, 2014 (79 FR 20801). In response, HHS received two public comments. Among other things, both comments argued that the rule violated the First Amendment. The commenters argued that restrictions in the Direct Final Rule violated the First Amendment by not including exceptions for certain uses of the seal (e.g., for illustrative purposes by the media). HHS withdrew this rule on June 4, 2014 (79 FR 32170). HHS is now publishing a Final Rule that merely

describes the Department’s symbol, seal, and logo.

**Executive Order No. 12866**

This rule does not meet the criteria for a significant regulatory action under Executive Order 12866. Thus, review by the Office of Management and Budget is not required.

**Regulatory Flexibility Act**

This rule will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis as provided by the Regulatory Flexibility Act, as amended, is not required.

**Paperwork Reduction Act**

This rule does not contain any collections of information subject to the Paperwork Reduction Act.

**List of Subjects in 45 CFR Part 18**

Seals and insignia.

For the reasons set out in the preamble, HHS adds Part 18 to Title 45, Subtitle A, subchapter A of the Code of Federal Regulations as follows:

**Subtitle A—DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Subchapter A—GENERAL ADMINISTRATION**

**PART 18—OFFICIAL SYMBOL, LOGO, AND SEAL**

Sec.  
 18.1 Description of the Symbol, Logo, and Seal.

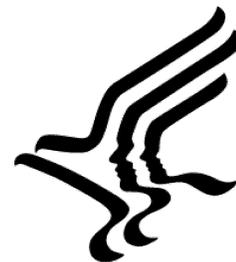
**Authority:** 42 U.S.C. 3505 and 5 U.S.C. 301.

**§ 18.1 Description of the Symbol, Logo, and Seal.**

(a) The Departmental Symbol (Symbol) of the Department of Health and Human Services (HHS) is the key element in Department identification. It represents the American People sheltered in the wing of the American Eagle, suggesting the Department’s concern and responsibility for the welfare of the people. This Symbol is the visual link which connects the graphic communications of all components and programs of the Department. It is the major design component for the Department

Identifiers — the Department Logo, Seal, and Signatures.

(b) The Symbol is described as follows: The outline of an American Eagle, facing left, with one of its wings stretched upward and the other wing pointed downward, is flanked on its right side by two outlines of the profile of a human head, both of which are located in between the eagle’s wings. One of the profile outlines is smaller than the other and is nestled in the larger outline.



(c) The HHS Departmental Logo (Logo) incorporates the Symbol and is described as follows: From the tip of the outstretched wing of the American Eagle in symbol to the tip of the other, downward-facing wing, the words, “DEPARTMENT OF HEALTH & HUMAN SERVICES • USA” form a circular arc. The official colors of the Logo are either Black or Reflex Blue. Reflex Blue RGB Numbers: 0/0/153 (R0, G0, B153)



(d) The HHS Departmental Seal (Seal) incorporates the Symbol and is described as follows: Starting from the tip of the downward-facing wing of the American Eagle in the HHS symbol and forming a complete circle clockwise around the HHS symbol, the words, “DEPARTMENT OF HEALTH & HUMAN SERVICES • USA •” are printed, surrounded by a border composed of a solid inner ring at the base of the text and a triangular, scalloped edge at the top of the text. The