

enforce the saflufenacil tolerance expression. Contact RD.

6. PP 9F8747. (EPA-HQ-OPP-2019-0230). Valent U.S.A. LLC, P.O. Box 8025, Walnut Creek, CA 94596-8025, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, ethaboxam ((*RS*)-*N*-( $\alpha$ -cyano-2-thenyl)-4-ethyl-2-(ethylamino)-1,3-thiazole-5-carboxamide) in or on beet, sugar, root at 0.01 parts per million (ppm). The analytical method uses high-performance liquid chromatography (HPLC) with tandem mass spectrometry (LC/MS-MS), with turbo-ion spray ionization in positive ion mode for ethaboxam and metabolites EEO, and negative ion mode for EEHO. A linear forced-origin calibration curve was used to quantify ethaboxam in the sample extracts. Contact: RD.

Authority: 21 U.S.C. 346a.

Dated: July 10, 2019.

**Delores Barber,**

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2019-16389 Filed 8-1-19; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Inspector General

#### 42 CFR Part 1001

RIN 0991-AB16

#### Withdrawal of Proposed Rule “Medicare and State Health Care Programs: Fraud and Abuse; Safe Harbor Under the Anti-Kickback Statute for Waiver of Beneficiary Coinsurance and Deductible Amounts”

**AGENCY:** Office of Inspector General (OIG), Department of Health and Human Services (HHS).

**ACTION:** Withdrawal of Proposed Rule.

**SUMMARY:** This document informs the public that OIG has determined not to pursue a proposed rule published in the **Federal Register** and, as a result, is withdrawing it. OIG is taking this action to avoid any confusion that could be caused by having this proposal in the public domain.

**DATES:** The Proposed Rule described under **SUPPLEMENTARY INFORMATION** is withdrawn as of August 1, 2019.

**ADDRESSES:** Office of Counsel to the Inspector General, Cohen Building, 330 Independence Ave. SW, Washington, DC 20201.

#### FOR FURTHER INFORMATION CONTACT:

Aaron Zajic, Supervisory Project Manager, Office of Counsel to the Inspector General, Cohen Building, 330 Independence Ave. SW, Washington, DC 20201, 202-619-0335.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. *OIG’s Review of Proposed Rules*

Executive Order 13777, entitled “Enforcing the Regulatory Reform Agenda” (82 FR 12285), instructs agencies to review regulations which should be repealed, replaced, or modified. As a result of a review undertaken after the issuance of Executive Order 13777, OIG identified a Proposed Rule (described below), which we do not intend to finalize. Accordingly, OIG is withdrawing the Proposed Rule from the **Federal Register**.

###### B. *OIG’s Withdrawal of the Proposed Rule*

The Proposed Rule that OIG is withdrawing was published in 2002. OIG neither applied nor enforced the position stated therein, nor does it now intend to do so. If OIG were to finalize this proposal, we would require updated comments from the public, as reimbursement methods and other aspects of the healthcare industry have changed in the interim. As a result, OIG is withdrawing the following Proposed Rule to eliminate any confusion that could result from its presence in the public domain:

The Proposed Rule, Medicare and State Health Care Programs: Fraud and Abuse; Safe Harbor Under the Anti-Kickback Statute for Waiver of Beneficiary Coinsurance and Deductible Amounts (67 FR 60202, September 25, 2002), would have expanded an existing safe harbor at 42 CFR 1001.952(k) to include waivers of cost sharing amounts for Part A and B services for holders of Medicare SELECT policies (a type of Medicare supplement (Medigap) plan).

##### II. Regulatory Impact

We expect minimal regulatory impact and reaction because of the passage of time since the Proposed Rule was published and because, to our knowledge, the public is not currently relying on, and may be unaware of, it.

**Joanne M. Chiedi,**

Acting Inspector General.

Dated: July 25, 2019.

**Alex M. Azar II,**

Secretary.

[FR Doc. 2019-16346 Filed 8-1-19; 8:45 am]

BILLING CODE 4152-01-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Inspector General

#### 42 CFR Part 1003

RIN 0991-AA45

#### Withdrawal of Proposed Rule “Health Care Programs: Fraud and Abuse; Civil Money Penalties for Hospital Physician Incentive Plans”

**AGENCY:** Office of Inspector General (OIG), Department of Health and Human Services (HHS).

**ACTION:** Withdrawal of Proposed Rule.

**SUMMARY:** This document informs the public that OIG has determined not to pursue a proposed rule published in the **Federal Register** and, as a result, is withdrawing it. OIG is taking this action to avoid any confusion that could be caused by having this proposal in the public domain.

**DATES:** The Proposed Rule listed under **SUPPLEMENTARY INFORMATION** is withdrawn as of August 1, 2019.

**ADDRESSES:** Office of Counsel to the Inspector General, Cohen Building, 330 Independence Ave. SW, Washington, DC 20201.

#### FOR FURTHER INFORMATION CONTACT:

Aaron Zajic, Supervisory Project Manager, Office of Counsel to the Inspector General, Cohen Building, 330 Independence Ave. SW, Washington, DC 20201, 202-619-0335.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. *OIG’s Review of Proposed Rules*

Executive Order 13777, entitled “Enforcing the Regulatory Reform Agenda” (82 FR 12285), instructs agencies to review regulations which should be repealed, replaced, or modified. As a result of a review undertaken after the issuance of Executive Order 13777, OIG identified a Proposed Rule (described below), which we do not intend to finalize. Accordingly, OIG is withdrawing the proposed rule from the **Federal Register**.

###### B. *OIG’s Withdrawal of the Proposed Rule*

The Proposed Rule that OIG is withdrawing was published in 1994. OIG neither applied nor enforced the positions stated therein, nor does it now intend to do so. If OIG were to finalize this proposal, we would require updated comments from the public, as reimbursement methods and other aspects of the healthcare industry have

changed in the interim. As a result, OIG is withdrawing the following Proposed Rule to eliminate any confusion that could result from their presence in the public domain:

The Proposed Rule, Health Care Programs: Fraud and Abuse; Civil Money Penalties for Hospital Physician Incentive Plans (59 FR 61571, December 1, 1994), would have codified in regulations OIG's authority to levy CMPs when a hospital knowingly makes incentive payments to a physician as an inducement for reducing services to Medicare or Medicaid beneficiaries).

## II. Regulatory Impact

We expect minimal regulatory impact and reaction because of the passage of time since the Proposed Rule was published and because, to our knowledge, the public is not currently relying on, and may be unaware of, it.

**Joanne M. Chiedi,**  
*Acting Inspector General.*

Dated: July 25, 2019.

**Alex M. Azar II,**  
*Secretary.*

[FR Doc. 2019-16343 Filed 8-1-19; 8:45 am]

**BILLING CODE 4152-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 229

**RIN 0648-XX003**

#### Atlantic Large Whale Take Reduction Plan Modifications To Reduce Serious Injury and Mortality of Large Whales in Commercial Trap/Pot Fisheries Along the U.S. East Coast

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare environmental impact statement, request for comments.

**SUMMARY:** The National Marine Fisheries Service (NMFS) intends to begin a rulemaking process that will amend the Atlantic Large Whale Take Reduction Plan (Plan) to reduce the risk of serious injuries and mortalities to North Atlantic right whales (*Eubalaena glacialis*) and other large whales caused by entanglement in commercial trap/pot fisheries along the U.S. East Coast. An Environmental Impact Statement (EIS) will be prepared in accordance with the National Environmental Policy Act (NEPA) to analyze the impacts to the

environment of alternatives to amend the Plan.

This notice informs the public of upcoming scoping meetings to solicit public comments on ways to reduce the risk of entanglement in trap and pot fisheries for right, humpback, and finback whales.

NMFS requests comments on management options for this action, particularly including information about operational challenges, time, and costs required to modify gear by changing configurations such as traps per trawl to reduce endline numbers, installing new line or sleeves, and by expanding gear marking requirements. Team recommendations and additional risk reduction measures identified during Team discussions and during this scoping period will form the basis of the alternatives that will be analyzed through the EIS process.

**DATES:** Written or electronic scoping comments must be received at the appropriate address or email mailbox (see **ADDRESSES**) September 16, 2019.

**ADDRESSES:** You may submit comments on this document by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments by sending an email to [nmfs.gar.ALWTRT2019@noaa.gov](mailto:nmfs.gar.ALWTRT2019@noaa.gov) using the subject line "Comments on Atlantic Large Whale Take Reduction Plan Scoping."

- **Mail:** Submit written comments to Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930-2276. Mark the outside of the envelope: "Comments on Atlantic Large Whale Take Reduction Plan Scoping."

Comments can also be provided in person during scoping meetings, listed below.

**FOR FURTHER INFORMATION CONTACT:** Colleen Coogan, Take Reduction Team Coordinator, Greater Atlantic Region. Telephone: 978 281-9181. Address: 55 Great Republic Drive, Gloucester, MA 01930. Email: [colleen.coogan@noaa.gov](mailto:colleen.coogan@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Dates, Times and Locations

The dates, times, and locations of scoping meetings are scheduled as follows:

1. Thursday, August 8, 2019—  
Narragansett, RI, 6 p.m. to 9 p.m.  
URI Graduate School of Oceanography,  
Corless Auditorium, 215 South  
Ferry Road, Narragansett, RI 02882
2. Monday, August 12, 2019—Machias,  
ME, 6 p.m. to 9 p.m.

University of Maine at Machias,  
Performing Arts Center, 116 O'Brien  
Avenue, Machias, ME 04654

3. Tuesday, August 13, 2019—  
Ellsworth, ME, 6 p.m. to 9 p.m.  
Ellsworth High School Performing Arts  
Center, 24 Lejok Street, Ellsworth,  
ME 04605

4. Wednesday, August 14, 2019—  
Waldoboro, ME, 6 p.m. to 9 p.m.  
Medomak Valley High School, 320  
Manktown Road, Waldoboro, Maine  
04572

5. Thursday, August 15, 2019—  
Portland, ME, 6 p.m. to 9 p.m.  
South Portland High School, 637  
Highland Ave., South Portland ME,  
04106

6. Monday, August 19, 2019—  
Portsmouth, NH, 6 p.m. to 9 p.m.  
Urban Forestry Center, 45 Elwyn Road,  
Portsmouth, NH 03801

7. Tuesday, August 20, 2019—  
Gloucester, MA, 6 p.m. to 9 p.m.  
NOAA Fisheries Greater Atlantic  
Region, 55 Great Republic Drive,  
Gloucester, MA 01930

8. Wednesday, August 21, 2019—  
Bourne, MA, 6 p.m. to 9 p.m.  
Upper Cape Cod Regional Technical  
School, 220 Sandwich Rd., Bourne,  
MA 02352

#### Background

The North Atlantic right whale population has been declining since 2010, and the most recent estimate indicates a population of no more than 411 individuals at the end of 2017. The decline has been exacerbated by an Unusual Mortality Event in 2017, following a calving season (2016-2017) with only five documented births and coinciding with the first calving season since monitoring began in 1990 with no new births documented (2017-2018). While climate change and the availability and redistribution of prey appear to be contributing to the population's declining fitness, a primary cause of significant injury and mortality of North Atlantic right whales is entanglement in fishing gear. With mortalities continuing to outpace births, the population decline is continuing, and further mitigation of entanglements that cause serious injury or mortality is needed.

The Marine Mammal Protection Act (MMPA) mandates that NMFS develop and implement Take Reduction Plans for preventing the depletion and assisting in the recovery of certain marine mammal stocks that are seriously injured or killed in commercial fisheries. Pursuant to the MMPA, NMFS convenes Take Reduction Teams, composed of stakeholders that make