

responsibilities among the various levels of government.” This proposed rule directly regulates growers, food processors, food handlers, and food retailers, not States. This proposed rule does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). For these same reasons, the Agency has determined that this proposed rule does not have any “tribal implications” as described in Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as

specified in Executive Order 13175. Thus, Executive Order 13175, does not apply to this proposed rule.

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 14, 2023.

**Edward Messina,**  
*Director, Office of Pesticide Programs.*

Therefore, it is proposed that 40 CFR chapter I be amended as follows:

#### PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

##### § 180.920 [Amended]

■ 2. In § 180.920, amend table 1 by removing the inert ingredient “Phenol”.

[FR Doc. 2023–18050 Filed 8–21–23; 8:45 am]

**BILLING CODE 6560–50–P**

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Centers for Medicare & Medicaid Services

**42 CFR Parts 405, 410, 416, 419, 424, 485, 488, 489**

##### Office of the Secretary

**45 CFR Part 180**

[CMS–1786–P]

**RIN 0938–AV09**

**Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems; Quality Reporting Programs; Payment for Intensive Outpatient Services in Rural Health Clinics, Federally Qualified Health Centers, and Opioid Treatment Programs; Hospital Price Transparency; Changes to Community Mental Health Centers Conditions of Participation, Proposed Changes to the Inpatient Prospective Payment System Medicare Code Editor; Rural Emergency Hospital Conditions of Participation Technical Correction**

##### Correction

In proposed rule document 2023–14768 appearing on pages 49552–49921 in the issue of Monday, July 31, 2023, make the following correction:

On page 49762, Table 61 is corrected to read as set forth below:

**TABLE 61—CY 2024 PROPOSED SURGICAL PROCEDURES FOR THE ASC CPL**

CY 2024 CPT/HCPCS/CDT code	CY 2024 long descriptor
D4210 .....	Gingivectomy or gingivoplasty—four or more contiguous teeth or tooth bounded spaces per quadrant.
D4211 .....	Gingivectomy or gingivoplasty—one to three contiguous teeth or tooth bounded spaces per quadrant.
D4212 .....	Gingivectomy or gingivoplasty to allow access for restorative procedure, per tooth.
D4260 .....	Osseous surgery (including elevation of a full thickness flap entry and closure)—four or more contiguous teeth or tooth bounded spaces per quadrant.
D4263 .....	Bone replacement graft—retained natural tooth—first site in quadrant.
D4270 .....	Pedicle soft tissue graft procedure.
D4273 .....	Autogenous connective tissue graft procedure (including donor and recipient surgical sites) first tooth, implant, or edentulous tooth position in graft.
D7111 .....	Extraction, coronal remnants—primary tooth.
D7140 .....	Extraction—erupted tooth or exposed root (elevation and/or forcep removal).
D7210 .....	Surgical removal of an erupted tooth requiring removal of bone and/or sectioning of tooth and including elevation of mucoperiosteal flap if indicated.
D7220 .....	Removal of impacted tooth—soft tissue.
D7230 .....	Removal of impacted tooth—partially bony.
D7240 .....	Removal of impacted tooth—completely bony.
D7241 .....	Removal of impacted tooth—completely bony, with unusual surgical complications.
D7250 .....	Surgical removal of residual tooth roots (cutting procedure).
D7270 .....	Tooth reimplantation and/or stabilization of accidentally evulsed or displaced tooth.
D7310 .....	Alveoloplasty in conjunction with extractions—four or more teeth or tooth spaces, per quadrant.
D7311 .....	Alveoloplasty in conjunction with extractions—one to three teeth or tooth spaces, per quadrant.
D7472 .....	Removal of torus palatinus.
D7473 .....	Removal of torus mandibularis.
D7510 .....	Incision and drainage of abscess—intraoral soft tissue.
D7511 .....	Incision and drainage of abscess—intraoral soft tissue—complicated (includes drainage of multiple fascial spaces).
D7520 .....	Incision and drainage of abscess—extraoral soft tissue.
D7550 .....	Partial ostectomy/sequestrectomy for removal of non-vital bone.

TABLE 61—CY 2024 PROPOSED SURGICAL PROCEDURES FOR THE ASC CPL—Continued

CY 2024 CPT/HCPCS/CDT code	CY 2024 long descriptor
D7950 .....	Osseous, osteoperiosteal, or cartilage graft of the mandible or maxilla—autogenous or nonautogenous, by report.
G0330 .....	Facility services for dental rehabilitation procedure(s) performed on a patient who requires monitored anesthesia (e.g., general, intravenous sedation (monitored anesthesia care) and use of an operating room.

[FR Doc. C1–2023–14768 Filed 8–21–23; 8:45 am]

BILLING CODE 0099–10–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[WC Docket No. 19–195; DA 23–688; FR ID 164681]

#### Comment Sought on Petition for Extension of Waiver of the Requirement for a Certified Professional Engineer To Certify Broadband Data Collection Availability Data

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for extension of waiver; request for comments.

**SUMMARY:** The Broadband Data Task Force, Wireless Telecommunications Bureau, Wireline Competition Bureau, and the Office of Economics and Analytics (Bureaus), seeks comment on a Petition for Extension of Waiver (Petition) requesting that the Bureaus renew for an additional three filing cycles the *BDC Limited Waiver*.

**DATES:** Comments are due on or before September 1, 2023, and reply comments are due on or before September 11, 2023.

**ADDRESSES:** You may submit comments, identified by WC Docket No. 19–195, by any of the following methods:

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing ECFS: <https://www.fcc.gov/ecfs/>.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.

- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S.-Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, 35 FCC Rcd 2788, 2788–89 (OS 2020).

*People with Disabilities:* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418–0530.

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact, Will Holloway, Broadband Data Task Force, at [William.Holloway@fcc.gov](mailto:William.Holloway@fcc.gov) or (202) 418–2334.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice in WC Docket No. 19–195, released on August 11, 2023. Due to the COVID–19 pandemic, the Commission's headquarters will be closed to the general public until further notice. The full text of this document is available at the following internet address: <https://www.fcc.gov/document/comments-sought-petition-waiver-engineering-certification> or by using the Commission's ECFS web page at [www.fcc.gov/ecfs](https://www.fcc.gov/ecfs).

*Ex Parte Rules.* This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2)

summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenters written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

#### Synopsis

1. The Bureaus seek comment on a Petition filed by the Competitive Carriers Association (CCA) and USTelecom—The Broadband Association (USTelecom and, together with CCA, Petitioners). Petitioners request that the Bureaus renew for an additional three filing cycles the *BDC Limited Waiver*, which temporarily waives the requirement that Broadband Data Collections (BDC) filings be verified by a licensed Professional Engineer (PE), thus allowing BDC submissions to be certified by an otherwise qualified engineer who does not hold the PE credential.

2. The Commission's rules require that a certified PE or a corporate engineering officer review and certify the accuracy of the broadband availability data submitted by mobile and fixed providers as part of the BDC. This requirement was adopted to ensure