

of the notice of the determination or decision being reopened; or

(2) The authority's notice of reopening is mailed within 3 years after the date of the notice of the determination or decision being reopened.

(e) A determination or decision procured by fraud or similar fault of any party may be reopened at any time.

14. Section 405.1887 is revised to read as follows:

§ 405.1887 Notice of reopening and revision.

(a) The authority that reopens a determination or decision shall promptly give written notice of the reopening to the parties, and shall provide them a reasonable period of time in which to present additional evidence or written argument in support of their position.

(b) If the authority revises a determination or decision, it shall give the parties notice of the revised determination or decision, and inform them of their appeal rights.

(Secs. 1102, 1871, and 1878 of the Social Security Act (42 U.S.C. 1302, 1395hh and 1395oo))

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare-Hospital Insurance and No. 13.774, Medicare—Supplementary Medical Insurance)

Dated: October 29, 1979.

Leonard D. Schaeffer,
Administrator, Health Care Financing Administration.

Approved: February 7, 1980.

Patricia Roberts Harris,
Secretary.

[FR Doc. 80-4719 Filed 2-13-80; 8:45 am]

BILLING CODE 4110-35-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1060

[CSA Instruction 6004-1L, Change 2]

CSA Income Poverty Guidelines (revised)

Correction

In FR Doc. 80-1478, appearing on page 3335 in the issue of Thursday, January 17, 1980 make the following correction.

On page 3335, second column, the second sentence in the "DATE:" paragraph should have read: "All comments received prior to March 17, 1980, will be considered in drafting the final amendment to the Rule".

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 171

[Docket No. HM-22; Notice No. 80-3]

Matter Incorporated By Reference

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The purpose of this notice of proposed rulemaking is to propose an update of the reference in 49 CFR 171.7(d)(1) to the ASME Boiler and Pressure Vessel Code in order to recognize the addenda through June 30, 1979 to the 1977 edition of the ASME Code.

DATES: Comments must be received on or before March 17, 1980.

ADDRESS COMMENTS TO: Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should identify the docket and be submitted in five copies. The Dockets Branch is located in Room 8426 of the Nassif Building, 400 Seventh Street, S.W., Washington, D.C. Public dockets may be reviewed between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Delmer F. Billings, Standards Division, Office of Hazardous Materials Regulation, Materials Transportation Bureau, Department of Transportation, Washington, D.C., 20590, 202-426-2075.

SUPPLEMENTARY INFORMATION: The Compressed Gas Association, Inc., (CGA), has submitted a petition to update the ASME reference in § 171.7(d). The CGA has requested that reference to the addenda to the 1977 ASME Code be updated through June 30, 1979. After review, the MTB has determined that the latest addenda to the 1977 Code should be referenced.

In consideration of the foregoing, Title 49, Code of Federal Regulations, § 171.7(d)(1) would be revised to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * *

(d) * * *

(1) ASME Code means Section VIII (Division 1) and IX of the 1977 edition of the "American Society of Mechanical Engineers Boiler and Pressure Vessel Code," and addenda thereto through June 30, 1979, except paragraph UW-11(a)(7) of the Code does not apply.

* * * * *

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, App. A to Part 1, and paragraph (a)(4) of App. A, Part 106)

Note.—The Material Transportation Bureau has determined that this proposed regulation will not have a major economic impact under the terms of Executive Order 12044 and DOT implementing procedures (44 FR 11034) nor an environmental impact which would require the preparation of an environmental impact statement under the National Environmental Policy (49 U.S.C. 4321 et seq.). A regulatory evaluation is available for review in the Docket.

Issued in Washington, D.C. on February 8, 1980.

Alan I. Roberts,

Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 80-4721 Filed 2-13-80; 8:45 am]

BILLING CODE 4910-60-M

49 CFR Parts 173 and 178

[Docket No. HM-172; Notice No. 80-2]

Marking and Record Retention Requirements for Cylinders

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Notice of proposed rule making.

SUMMARY: The MTB proposes to clarify the marking requirements for cylinders and to address other markings which may appear as additional information on cylinders. The MTB also proposes to delete § 173.34(c)(3)(ii) and thereby prohibit a cylinder owner from changing the serial number and any required identification symbol markings on a cylinder. In addition, the MTB is proposing to prescribe requirements for retention of cylinder test reports and to revise the requirements for submission of these reports.

DATE: Comments must be received by May 15, 1980.

ADDRESS: Comments must be addressed to the Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should identify the docket and be submitted in five copies. The Dockets Branch is located in room 8426 of the Nassif Building, 400 Seventh Street SW., Washington, D.C. Public dockets may be reviewed between the hours 8:30 a.m. to 5 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: David E. Henry, Office of Operations and Enforcement, Materials Transportation Bureau, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590, telephone (202-755-5893).