

entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This temporary final rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under paragraph 2.B.g(5) of Commandant Instruction M16475.1B, this temporary final rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

Regulation

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR Part 117 as follows:

PART 117—[AMENDED]

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; AND 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. 102–587, 106 Stat. 5039.

§ 117.458 [Amended]

2. Effective March 6, 1997 through May 19, 1997, § 117.458 is amended by adding a new paragraph (c) to read as follows:

§ 117.458 Inner Harbor Navigation Canal, New Orleans.

* * * * *

(c) The draw of the L&N Railroad/Old Gentilly Road bascule span drawbridge across the Inner Harbor Navigation

Canal, mile 3.4 shall open on signal; except that between the hours of 8 a.m. and noon and between the hours of 1 p.m. and 5 p.m. daily, from March 6, 1997 through May 19, 1997, the draw need not open for the passage of vessels.

Dated: February 27, 1997.

T. W. Josiah,
*Rear Admiral, U.S. Coast Guard Commander,
Eighth Coast Guard District.*

[FR Doc. 97–5832 Filed 3–5–97; 1:31 pm]

BILLING CODE 4910–14–M

DEPARTMENT OF DEFENSE

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900–AI53

Veterans Education: Increased Allowances for the Educational Assistance Test Program

AGENCIES: Department of Defense and Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The law provides that rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program shall be adjusted annually by the Secretary of Defense based upon the average actual cost of attendance at public institutions of higher education in the 12-month period since the rates were last adjusted. After consultation with the Department of Education, the Department of Defense has concluded that the rates for the 1996–97 academic year should be increased by 6% over the rates payable for the 1995–96 academic year. The regulations dealing with these rates are amended accordingly.

EFFECTIVE DATE: March 7, 1997.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Policy and Program Administration, Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, 202–273–7187.

SUPPLEMENTARY INFORMATION: The law (10 U.S.C. 2145) provides that the Secretary of Defense shall adjust the amount of educational assistance which may be provided in any academic year under the Educational Assistance Test Program, and the amount of subsistence allowance authorized under that program. The adjustment is to be based upon the 12-month increase in the average actual cost of attendance at public institutions of higher education. As required by law, the Department of

Defense has consulted with the Department of Education. The Department of Defense has concluded that these costs increased by 6% in the 1995–96 academic year. Accordingly, this revision changes 38 CFR 21.5820 and 21.5822 to reflect a 6% increase in the rates payable in the 1996–97 academic year.

Pursuant to 5 U.S.C. 553 there is good cause for finding that notice and public procedure are impractical, unnecessary, and contrary to the public interest and there is good cause for dispensing with a 30-day delay of the effective date. The rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program are determined based on a statutory formula and, in essence, the calculation of rates merely constitutes a non-discretionary ministerial act.

The Secretary of Veterans Affairs and the Secretary of Defense have certified that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This final rule directly affects only individuals and does not directly affect small entities. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

There is no Catalog of Federal Domestic Assistance number for the program affected by these regulations.

List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs—education, Grant programs—veterans, Loan programs—education, Loan programs—veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: December 18, 1996.

Jesse Brown,

Secretary of Veterans Affairs.

Approved: February 14, 1997.

Normand G. Lezy,

Lieutenant General, USAF, Deputy Assistant Secretary (Military Personnel Policy) Department of Defense.

For the reasons set out above, 38 CFR part 21 (subpart H) is amended as set forth below.

**PART 21—VOCATIONAL
REHABILITATION AND EDUCATION****Subpart H—Educational Assistance
Test Program**

1. The authority citation for part 21, subpart H, continues to read as follows:

Authority: 10 U.S.C. Ch. 107; 38 U.S.C. 501(a), 3695, 5101, 5113, 5303A; 42 U.S.C. 2000; Sec. 901, Pub. L. 96–342 94 stat. 1111–1114.

§ 21.5820 [Amended]

2. In § 21.5820, paragraph (b)(1) is amended by removing “1995–96” and adding, in its place, “1996–97”, and by removing “\$2,761” and adding, in its place, “\$2,927”; paragraph (b)(2)(ii) introductory text is amended by removing “1995–96” and adding, in its place, “1996–97”; paragraph (b)(2)(ii)(A) is amended by removing “\$306.78” and adding, in its place, “\$325.22”, and by removing “\$153.39” and adding, in its place, “\$162.61”; paragraph (b)(2)(ii)(B) is amended by removing “\$10.23” and adding, in its place, “\$10.84”, and by removing “\$5.11”, and adding, in its place, “\$5.42”; paragraph (b)(2)(ii)(C) is amended by removing “decreased” both times it appears and adding, in its place, “increased”; paragraph (b)(3)(ii) introductory text is amended by removing “1995–96” and adding, in its place, “1996–97”; paragraph (b)(3)(ii)(A) is amended by removing “\$306.78” and adding, in its place, “\$325.22”, and by removing “\$153.39” and adding, in its place, “\$162.61”; paragraph (b)(3)(ii)(B) is amended by removing “\$10.23” and adding, in its place “\$10.84”, and by removing “\$5.11” and adding, in its place, “\$5.42”; and paragraph (b)(3)(ii)(C) is amended by removing “decreased” both times it appears and adding, in its place, “increased”.

§ 21.5822 [Amended]

3. In § 21.5822, paragraph (b)(1)(i) is amended by removing “\$688” and adding, in its place, “\$729”, and by removing “1995–96” and adding, in its place, “1996–97”; paragraph (b)(1)(ii) is amended by removing “\$344” and adding, in its place, “\$364.50”, and by removing “1995–96” and adding, in its place, “1996–97”; paragraph (b)(2)(i) is amended by removing “1995–96” and adding, in its place, “1996–97”, and by removing “\$688” and adding, in its place, “\$729”; and paragraph (b)(2)(ii) is amended by removing “1995–96” and adding, in its place, “1996–97”, and by removing “\$344”, and adding, in its place, “\$364.50”.

[FR Doc. 97–5579 Filed 3–6–97; 8:45 am]

BILLING CODE 9320–01–P

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 52**

[OR59–7274, OR60–7275; FRL–5696–6]

**Approval and Promulgation of State
Implementation Plans: Oregon**

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) approves revisions to the State of Oregon Implementation Plan for two source-specific Reasonably Available Control Technology (RACT) volatile organic compound (VOC) emissions standards: Cascade General, Inc., a ship repair yard in Portland, Oregon; and, White Consolidated, Inc. (doing business as Schrock Cabinet Co.), a wood cabinet manufacturing facility in Hillsboro, Oregon. These revisions are required by the Clean Air Act (CAA) and were submitted to EPA on November 20, 1996.

DATES: This action is effective on May 6, 1997 unless adverse or critical comments are received by April 7, 1997. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, Office of Air Quality (OAQ–107), EPA Region 10, 1200 Sixth Avenue, Seattle, Washington 98101. Documents incorporated by reference are available for public inspection at the Air and Radiation Docket and Information Center, EPA, 401 M Street, SW, Washington, D.C. 20460. Copies of material submitted to EPA may be examined during normal business hours at the following locations: EPA, Office of Air Quality (OAQ–107), 1200 Sixth Avenue, Seattle, Washington 98101, and the Oregon Department of Environmental Quality, 811 S.W. Sixth Avenue, Portland, Oregon 97204–1390.

FOR FURTHER INFORMATION CONTACT: Denise Baker, Office of Air Quality (OAQ–107), EPA Region 10, Seattle, Washington, (206) 553–8087.

SUPPLEMENTARY INFORMATION:**I. Background**

Section 172(a)(2) and (b)(3) of the CAA, as amended in 1977 (1977 Act), required sources of VOC to install, at a minimum, RACT in order to reduce emissions of this pollutant. EPA has defined RACT as the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available,

considering technological and economic feasibility (44 FR 53761, September 17, 1979). EPA has developed Control Technology Guidelines (CTGs) for the purpose of informing State and local air pollution control agencies of air pollution control techniques available for reducing emissions of VOC from various categories of sources. Each CTG contains recommendations to the States of what EPA calls the “presumptive norm” for RACT. This general statement of agency policy is based on EPA’s evaluation of the capabilities of, and problems associated with, control technologies currently used by facilities within individual source categories. EPA has recommended that the States adopt requirements consistent with the presumptive norm level.

On March 3, 1978, the entire Portland-Vancouver Interstate Air Quality Maintenance Area was designated by EPA as a non-attainment area for ozone. The Portland-Vancouver Interstate Air Quality Maintenance Area contains the urbanized portions of three counties in Oregon (Clackamas, Multnomah, and Washington) and one county (Clark) in the State of Washington.

The 1977 Act required States to submit plans to demonstrate how they would attain and maintain compliance with national ambient air standards for those areas designated non-attainment. The 1977 Act further required these plans to demonstrate compliance with primary standards no later than December 31, 1982. An extension up to December 31, 1987, was possible if the State could demonstrate that, despite implementation of all reasonably available control measures, the December 31, 1982, date could not be met.

On October 7, 1982, EPA approved the Portland-Vancouver area ozone attainment plan, including an extension of the attainment date to December 31, 1987 (47 FR 44262).

On June 15, 1988, pursuant to Section 110(a)(2)(H) of the pre-amended CAA, former EPA Regional Administrator Robie Russell notified the State of Oregon by letter that the State Implementation Plan (SIP) for the Portland-Vancouver area was substantially inadequate to provide for timely attainment of the National Ambient Air Quality Standards (NAAQS). In that letter, EPA identified specific actions needed to correct deficiencies in State regulations representing RACT for sources of VOC. Further, the CAA, as amended in 1990 (amended Act), also requires States to correct deficiencies. In amended Section 182(a)(2)(A), Congress statutorily