

**PART 117—DRAWBRIDGE OPERATION REGULATIONS**

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

**Authority:** 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g).

2. Section 117.495 is revised to read as follows:

**§ 117.495 Superior Oil Canal.**

The draw of the S82 bridge, mile 6.3, in Cameron Parish shall open on signal if at least 8 hours notice is given. Public vessels of the United States and vessels in distress shall be passed as soon as possible.

Dated: January 4, 1995.

**R.C. North,**

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

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**DEPARTMENT OF VETERANS AFFAIRS**

**38 CFR Part 21**

RIN 2900-AH17

**Vocational Rehabilitation: Increase in Rates of Subsistence Allowance Payable**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs regulations regarding the monthly rates of subsistence allowance payable under the Vocational Rehabilitation Program

to reflect a 2.44% increase in these rates pursuant to statutory formula. This amendment is necessary to establish the correct rate in accordance with the statutory formula.

**EFFECTIVE DATE:** October 1, 1994.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Graffam, Rehabilitation Program Specialist, Policy and Program Development, Vocational Rehabilitation and Counseling Service (281), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-7410.

**SUPPLEMENTARY INFORMATION:** 38 U.S.C. 3108 provides that, for all fiscal years beginning on or after October 1, 1994, the rate of subsistence allowance payable to VA Rehabilitation Program participants must be increased by the percentage that the Consumer Price Index for all items, United States city average (CPI-W), for the 12-month period ending on the preceding June 30 exceeds the CPI-W for the previous 12-month period. The CPI-W increase as of June 30, 1994, was 2.44%. Hence, the regulations setting the rates of subsistence allowance payable under the Vocational Rehabilitation Program are amended to reflect this 2.44% increase. This amendment to regulations merely conforms to the statutory formula.

VA has determined that prior publication for notice and public comment is unnecessary since the amendment merely reflects a change pursuant to statutory formula and is not subject to rule-making requirements.

The Secretary of Veterans Affairs hereby certifies that this final regulation

will not have a significant impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. The reason for this certification is that this final regulation merely reflects a change pursuant to statutory formula.

The Catalog of Federal Domestic Assistance Program number for these regulations is 64.116.

**List of Subjects in 38 CFR Part 21**

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: January 11, 1995.

**Jesse Brown,**

*Secretary of Veterans Affairs.*

For the reason set forth in the preamble, 38 CFR, Part 21, is amended as follows:

**PART 21—VOCATIONAL REHABILITATION AND EDUCATION**

**Subpart A—Vocational Rehabilitation Under U.S.C. Chapter 31**

1. The authority citation for part 21, subpart A is revised to read as follows:

**Authority:** 38 U.S.C. 501(a); 38 U.S.C. 3108.

2. In § 21.260, paragraph (b) is revised to read as follows:

**§ 21.260 Subsistence allowance.**

\* \* \* \* \*

(b) *Rate of payment.* Subsistence allowance is paid at the following rates effective October 1, 1994.

**MONTHLY RATE OF SUBSISTENCE ALLOWANCE**

Type of program	No dependents	One dependent	Two dependents	Add'l amount for each dependent over two
Institutional <sup>1</sup> :				
Full-time .....	\$374.93	\$465.08	\$548.05	\$39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Nonpay on-job training in a Federal, state, or local agency, training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only .....	374.93	465.88	548.05	39.95
Nonpay work experience in a Federal, state or local agency:				
Full-time .....	374.93	465.08	548.05	39.95
¾ time .....	281.71	349.32	409.76	30.73
½ time .....	188.49	233.56	274.54	20.49
Farm cooperative, apprenticeship, or other on-job training <sup>2</sup> :				
Full-time only .....	327.81	396.44	456.88	29.71
Combination of Institutional and OJT (Full-time only):				
Institutional greater than ½ time .....	374.93	465.08	548.05	39.95
OJT greater than ½ time .....	327.81	396.44	456.88	29.71
Non-farm cooperative (Full-time only):				
Institutional .....	374.93	465.08	548.05	39.95
On-job .....	327.81	396.44	456.88	29.71

MONTHLY RATE OF SUBSISTENCE ALLOWANCE—Continued

Type of program	No dependents	One dependent	Two dependents	Add'l amount for each dependent over two
Improvement of rehabilitation potential:				
Full-time only .....	374.93	465.08	548.05	39.95
3/4 time .....	281.71	349.32	409.76	30.73
1/2 time .....	188.49	233.56	274.54	20.49
1/4 time <sup>3</sup> .....	94.24	116.78	137.27	10.24

<sup>1</sup> For measurement of rate of pursuit, see §§ 21.4270 through 21.4275.

<sup>2</sup> For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, not including overtime, and the entrance journeyman wage for the veteran's objective.

<sup>3</sup> The quarter-time rate may be paid only during extended evaluation. (Authority: 38 U.S.C. 3108; Pub. L. 102-568)

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**  
 [CA 43-3-6704; FRL-5138-5]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Santa Barbara County Air Pollution Control District**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule.

**SUMMARY:** EPA is finalizing the approval of revisions to the California State Implementation Plan (SIP) proposed in the **Federal Register** on August 11, 1994. The revisions concern a rule from the Santa Barbara County Air Pollution Control District (SBCAPCD). This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rule controls VOC emissions from organic liquid loading facilities. Thus, EPA is finalizing the approval of this revision into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

**EFFECTIVE DATE:** This final rule is effective on February 23, 1995.

**ADDRESSES:** Copies of the rule and EPA's evaluation report for the rule are available for public inspection at EPA's Region IX office during normal business

hours. Copies of the submitted rule are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, SW., Washington, DC 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814

Santa Barbara County Air Pollution Control District, 26 Castilian Drive, Suite B-23, Goleta, CA 93117.

**FOR FURTHER INFORMATION CONTACT:** Duane F. James, Rulemaking Section, Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1191.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 11, 1994, in 59 FR 41263, EPA proposed to approve the following rule into the California SIP: SBCAPCD's Rule 346, "Loading of Organic Cargo Vessels" (the NPRM). Rule 346 was adopted by the SBCAPCD on October 13, 1992. The rule was submitted by the California Air Resources Board to EPA on January 11, 1993, and was submitted in response to EPA's 1988 SIP-Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background for the above rule and nonattainment area is provided in the NPRM cited above.

EPA has evaluated the above rule for consistency with the requirements of the CAA and EPA regulations and EPA

interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRM cited above. EPA has found that the rule meets the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in the NPRM and in the technical support document (TSD) available at EPA's Region IX office, dated January 28, 1994.

**Response to Public Comments**

A 30-day public comment period was provided in the NPRM. EPA received no comments on Rule 346.

**EPA Action**

EPA is finalizing this action to approve the above rule for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section 110(a) and Part D of the CAA. This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of VOCs in accordance with the requirements of the CAA.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

**Regulatory Process**

The OMB has exempted this action from review under Executive Order 12866.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone,