

(c) *VA's duty to help claimants obtain evidence.* Upon receipt of any claim, VA will determine whether it is well grounded before taking any further action.

(1) *If a claim is well grounded*, except as otherwise provided in paragraph (c)(3) of this section for certain multiple claims, VA will help the claimant, as specified in this paragraph, obtain additional relevant lay or medical evidence, of which it is reasonably aware, that is needed to establish entitlement to the benefit sought. VA will obtain service medical records in claims for service-connected disability or death. Provided the claimant has provided enough information to identify and locate the evidence including the location and approximate dates and time frame covered by the records, VA will request, directly from the source, relevant existing evidence which is in the custody of military authorities, other Federal agencies, state and local governmental authorities, VA medical facilities, private medical providers, current and former employers, and other non-governmental individuals and entities. If necessary for such record requests, the claimant must authorize the release of records in a form acceptable to the person or agency holding the records. VA will not pay any fees charged for providing the evidence. If VA is unable to obtain any evidence it has requested after reasonable effort and after a reasonable period of time, it will advise the claimant of that fact, and of the reasons why, if known. VA will also advise the claimant that he or she is ultimately responsible for providing the evidence and that unless VA hears from the claimant within 30 days from the date on the notice, VA will proceed to decide the claim on the basis of the evidence of record.

(2) *If a claim is not well grounded*, VA will notify the claimant of the types of evidence necessary to well ground the claim, and allow him or her 30 days from the date on the notice to submit it. During this 30-day period, VA will request service medical records in claims for service-connected disability or death. It will also request VA medical records that the claimant has identified as relevant to the claim, provided the claimant has provided enough information to identify and locate the evidence including the location and approximate dates covered by the records. VA will not schedule a VA examination or request any other evidence during this period. If, after 30 days, VA has not received evidence that well grounds the claim, it will deny the claim as not well grounded.

(3) *If an application for benefits includes multiple claims* with at least one claim that is well grounded and one that is not, VA will notify the claimant of the types of evidence necessary to well ground each claim that is not well grounded, and allow the claimant 30 days from the date on the notice to submit it. During this 30-day period, VA will request service medical records. It will also request any VA medical records the claimant has identified as relevant to the claim(s), but only if the claimant has provided enough information to identify and locate the evidence including the location and approximate dates covered by the records. VA will not request any other evidence or schedule VA examinations for any of the claims during the 30-day period. If, after 30 days, VA has not received evidence that well grounds each claim, it will deny the claims that are not well grounded and will help the claimant obtain any additional evidence as set forth in paragraph (c)(1) of this section that it needs to determine entitlement to the benefits for which he or she has filed well-grounded claims.

(4) *If a claim has been denied as not well grounded*, VA will review any evidence relevant to that claim that it receives within one year from the date of notification to the claimant under paragraph (c)(2) or (c)(3) of this section to determine whether, based on all the evidence of record, the claim is well grounded. See 38 CFR 3.109(a). If the evidence received does not well ground the claim, VA will again deny the claim as not well grounded. If the evidence received well grounds the claim, VA will help the claimant obtain any additional evidence as set forth in paragraph (c)(1) of this section that it needs to determine entitlement to the benefit sought.

(Authority: 38 U.S.C. 5107)

[FR Doc. 99-31076 Filed 12-1-99; 8:45 am]

BILLING CODE 8320-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[GA-40-9929b; FRL-6472-9]

### Approval and Promulgation of Revisions to the Georgia State Implementation Plan

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP)

revisions submitted by the State of Georgia on July 10, 1998. These revisions adopt two new rules for reducing nitrogen oxides emissions in the Atlanta ozone nonattainment area: a rule requiring specific gasoline formulation in 25 counties and a rule establishing unit-specific emission limits at certain Georgia Power generating units. The revisions also incorporate federal requirements related to permitting and wood furniture finishing and cleaning operations and make technical corrections to certain air quality rules. In addition, the revisions clarify requirements of Georgia's Clean Fueled Fleets Program. EPA will act on the rule requiring specific gasoline formulation in 25 counties and revisions submitted for regulating air emissions and operating practices of existing hospital/medical/infectious waste incinerators that commenced construction, reconstruction or modification on or before June 20, 1996 in a separate **Federal Register** document at a later date. In the Final Rules section of this **Federal Register**, the EPA is approving the State's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before January 3, 2000.

**ADDRESSES:** All comments should be addressed to: Michele Notarianni, Air Planning Branch, Air, Pesticides, and Toxics Management Division, EPA Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303.

Copies of the documents relative to this action are available for inspection at the following locations during normal business hours. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

EPA Region 4, Air Planning Branch, 61 Forsyth Street, SW., Atlanta, Georgia 30303. (To make an appointment, please contact Michele Notarianni at 404-562-9031.)

Air Protection Branch, Georgia Environmental Protection Division, Georgia Department of Natural Resources, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.

**FOR FURTHER INFORMATION CONTACT:** Michele Notarianni, Air Planning Branch, Air, Pesticides, and Toxics Management Division, EPA Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303. The telephone number is 404-562-9031.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is published in the Final Rules section of this **Federal Register**.

Dated: October 12, 1999.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 99-29446 Filed 12-1-99; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[RI-028-01-6974b; A-1-FRL-6483-7]

#### Approval and Promulgation of Air Quality Implementation Plans: Rhode Island; VOC Regulations and RACT Determinations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve several State Implementation Plan (SIP) revisions submitted by the State of Rhode Island. These revisions establish requirements for certain facilities which emit volatile organic compounds (VOCs). In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP revisions as a direct final rule without prior proposal because the Agency anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this proposal. Any parties interested in commenting on this proposal should do so at this time.

**DATES:** Comments must be received on or before January 3, 2000.

**ADDRESSES:** Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Boston, MA 02114-2023. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and Division of Air and Hazardous Materials, Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767.

**FOR FURTHER INFORMATION CONTACT:** Anne E. Arnold, (617) 918-1047.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: November 23, 1999.

**John P. DeVillars,**

*Regional Administrator, Region I.*

[FR Doc. 99-31289 Filed 12-1-99; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 99-2422; MM Docket No. 99-326; RM-9755]

#### Radio Broadcasting Services; Bowling Green and Bardstown, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by WRUS, Inc., proposing the substitution of Channel 244C3 for Channel 244A at Bowling Green, Kentucky, and the modification of Station WBVR-FM's license accordingly. To accommodate the upgrade, petitioner also requests the substitution of Channel 244A for Channel 297A at Bardstown, Kentucky, and the modification of Station WOKH(FM)'s license accordingly. Channel 244C3 can be allotted to Bowling Green in compliance with the Commission's minimum distance separation requirements with a site restriction of 15.1 kilometers (9.4 miles) west at petitioner's requested site. The coordinates for Channel 244C3 at Bowling Green are 37-01-33 North Latitude and 86-37-06 West Longitude. See Supplementary Information, *infra*.

**DATES:** Comments must be filed on or before December 27, 1999, and reply comments on or before January 11, 2000.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Allan G. Moskowitz, Esq., Kaye, Scholer, Fierman, Hays & Handler, L.L.P., 901 15th Street, NW., Suite 1100, Washington, DC 20005 (Counsel for Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-326, adopted October 27, 1999, and released November 5, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Additionally, Channel 297A can be allotted to Bardstown with a site restriction of 11.8 kilometers (7.4 miles) west at petitioner's requested site. The coordinates for Channel 297A at Bardstown are 37-47-00 and 85-35-28 West Longitude. In accordance with Section 1.420(g)(3) of the Commission's Rules, we will not accept competing expressions of interest for the use of Channel 244C3 at Bowling Green, Kentucky, or require petitioner to demonstrate the availability of an equivalent class channel for use by such parties.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.