

their berths at Pier 83, Manhattan during the demonstration at the discretion of the Captain of the Port, and the extensive, advance notifications which will be made.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation section above, the Coast Guard certified under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this final rule under the principles and criteria contained in Executive Order 12612, and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under Figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1C, this 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 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulation

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add temporary section 165.T01-041 to read as follows:

§ 165.T01-041 Safety Zone; Fleet Week Air/Sea Demonstrations, Hudson River, New York.

(a) *Location.* The following area is a safety zone: those waters of the Hudson River bound by the following points: from the southeast corner of Pier 90, Manhattan, where it intersects the seawall, outbound to a position at 40°46'10" N latitude, 074°100'13" W longitude (NAD 1983), south to a point at or near 40°45'54" N latitude, 074°00'24" W longitude (NAD 1983), then inbound to the northeast corner of Pier 83, Manhattan, where it intersects the seawall.

(b) *Effective period.* This section is in effect from 10:30 a.m. until 12:30 p.m. on May 22, 23, and 24, and from 2:30 p.m. until 4:30 p.m. on May 22, 23, 24 and 25, 1998.

(c) Regulations.

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: April 15, 1998.

Richard C. Vlaun,

Captain, U.S. Coast Guard Captain of the Port, New York.

[FR Doc. 98-13580 Filed 5-18-98; 4:49 pm]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AJ10

Veterans Education: Increase in Rates Payable for Cooperative Training Under the Montgomery GI Bill—Active Duty

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the educational assistance and educational

benefits regulations of the Department of Veterans Affairs (VA). The Veterans' Benefits Act of 1997 provided a new statutory formula for use in calculating the monthly rates of educational assistance payable under the Montgomery GI Bill—Active Duty to someone pursuing cooperative training. The new formula increases the monthly rates of educational assistance, effective from October 9, 1996, for veterans in cooperative training who were formerly eligible for assistance under the Veteran Era GI Bill. This final document amends the regulations to reflect the increased rates.

DATES: Effective Date: October 9, 1996

FOR FURTHER INFORMATION CONTACT:

William G. Susling, Jr., Education Advisor, Education Service, Veterans Benefits Administration, (202) 273-7187.

SUPPLEMENTARY INFORMATION: VA is amending the "ALL VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM (MONTGOMERY GI BILL—ACTIVE DUTY)" regulations set forth at 38 CFR Part 21, Subpart K. VA is required by statute to calculate the monthly rate of educational assistance payable to veterans and servicemembers training under the Montgomery GI Bill—Active Duty (MGIB). The calculation is based on statutory formulas.

Effective October 9, 1996, Pub. L. 105-114 changed the statutory formula used to determine the monthly rate of educational assistance under the MGIB payable to a veteran in cooperative training who was formerly eligible for assistance under the Vietnam Era GI Bill. This final rule revises the regulations containing the monthly rate of educational assistance payable to such a veteran to reflect the new statutory formula.

The changes set forth in this final rule are applied from the effective date of the statutory changes.

This final rule merely reflects statutory requirements and adjustments made based on the newly established formula. Accordingly, there is a basis for dispensing with prior notice and comment and delayed effective date provisions of 5 U.S.C. 552 and 553.

The Secretary of Veterans Affairs hereby certifies 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 and does not directly affect small entities. This final rule directly affects only individuals. 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.

The Catalog of Federal Domestic Assistance number for the program affected by this final rule is 64.124.

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, Health programs, Loan programs-education, Loan programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans,

Vocational education, Vocational rehabilitation.

Approved: May 12, 1998.
Togo D. West, Jr.,
Secretary.

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

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart K—All Volunteer Force Educational Assistance Program (Montgomery GI Bill—Active Duty)

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

Authority: 38 U.S.C. 501(a), chs. 30, 39, unless otherwise noted.

2. In § 21.7137, paragraph (a)(3) is revised to read as follows:

§ 21.7137 Rates of payment of basic educational assistance for individuals with remaining entitlement under 38 U.S.C. ch. 34.

(a) * * *

(3) The monthly rate payable to a veteran who is pursuing a cooperative course is the rate stated in the following table:

Training period	Monthly rate			
	No dependents	One dependent	Two dependents	Additional for each additional dependent
Oct. 9, 1996–Sept. 30, 1997	\$615.87	\$651.37	\$682.87	\$16.00
On or after Oct. 1, 1997	627.85	663.85	694.85	16.00

(Authority: 38 U.S.C. 3015)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 61

[FRL-5990-4]

Delegation of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS) for the State of Nevada

AGENCY: Environmental Protection Agency (EPA).

ACTION: Delegation of authority.

SUMMARY: In 1990, 1991 and 1993, the State of Nevada, Department of Conservation and Natural Resources (NDCNR), requested delegation of authority for the implementation and enforcement of specified New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAPS). EPA's review of the State of Nevada's laws, rules and regulations showed them to be adequate for the implementation and enforcement of these federal standards, and EPA granted the delegations as requested.

EFFECTIVE DATE: The effective dates of the delegation authority for the NDCNR agency are: September 10, 1992, February 24, 1993, and September 23, 1993.

ADDRESSES: Copies of the requests for delegation of authority and EPA's letters of delegation are available for public inspection at EPA's Region 9 office during normal business hours and at the following location: State of Nevada, Department of Conservation and Natural Resources, 333 W. Nye Lane, Carson City, NV 89710.

FOR FURTHER INFORMATION CONTACT: Cynthia G. Allen, Rulemaking Section (Air-4), Air Division, EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Tel: (415) 744-1189.

SUPPLEMENTARY INFORMATION: Section 301, in conjunction with sections 110, 111(c)(1), and 112(l)(1) of the Clean Air Act as amended in 1990, authorize the Administrator to delegate his or her authority to implement and enforce the standards set out in 40 CFR part 60, Standards of Performance for New Stationary Sources (NSPS) and 40 CFR part 61, National Emission Standards for Hazardous Air Pollutants (NESHAPS).

The State of Nevada requested authority for delegation of certain NSPS and NESHAPS categories. After a thorough review of the categories requested for delegation, the Regional Administrator, EPA Region IX determined that such delegation was

appropriate for these source categories. By letters dated September 10, 1992, February 24, 1993, and September 23, 1993, EPA delegated its authority for 40 CFR part 60 and part 61 for the following subparts:

NSPS	40 CFR part 60, subpart
Industrial-Commercial-Institutional Steam Generating Units.	Db
Small Industrial-Commercial-Institutional Steam Generating Units.	Dc
Municipal Waste Combustors	Ea
Petroleum Refineries	J
Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.	DDD
VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.	III
VOC Emissions from SOCMI Distillation Operations.	NNN
Calciners and Dryers in Mineral Industries.	UUU
NESHAPS	40 CFR part 61, subpart
Benzene Emissions from Benzene Transfer Operations.	BB
Benzene Waste Operations	FF