

between 6:30 a.m. and 6 p.m. The Coast Guard proposed this advance notice from vessel operators so that warnings could be given to highway traffic, giving travelers the option to take I-205 across the Columbia River. However, ODOT considered this notice to be too short to effectively post warning to motorists. The Coast Guard concurs and further notes that longer notice would not make for greater accuracy in judging the arrival time of vessels at the drawspan. The requirement for advance notice for openings is not included in this final rule.

This rule only amends 33 CFR 117.869 so that the draws need not be opened for the passage of vessels from 6:30 a.m. to 9 a.m. and from 2:30 p.m. to 6 p.m. Monday through Friday, except federal holidays.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). We expect the economic impact of this rule to be so minimal that a full regulatory evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The final rule should improve commuter traffic flow by a one-hour reduction in both morning and evening times when commercial navigation can pass through the open draw spans. This is the reduction that occurs when the gauge reads 6 feet or more at the bridge. When the river level is 5.9 feet or less at the bridge, all vessels gain one hour of opening opportunity by this change.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), we considered whether this rule would 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 less than 50,000. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit through the Columbia River drawbridge during the minimally changed closed periods. The Coast Guard certifies under 5 U.S.C.

605(b) that this rule will not have a significant impact on a substantial number of small entities.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

We have analyzed this final rule in accordance with the principles and criteria contained in Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a state, local, or tribal government or the private sector to incur direct costs without the federal government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. This rule changes a drawbridge regulation which has been found not to have a significant effect on the environment. A "Categorical Exclusion Determination" is not required.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

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); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Revise § 117.869(a) to read as follows:

§ 117.869 Columbia River.

(a) The draws of the Interstate 5 Bridges, mile 106.5, between Portland, OR, and Vancouver, WA, shall open on signal except that the draws need not be opened for the passage of vessels from 6:30 a.m. to 9 a.m. and from 2:30 p.m. to 6 p.m. Monday through Friday except federal holidays.

* * * * *

Dated: December 27, 1999.

Paul M. Blayney,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 00-585 Filed 1-10-00; 8:45 am]

BILLING CODE 4910-15-U

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Chapter 1

RIN 2900-AJ57

Rules of Practice: Title Change

AGENCY: Department of Veterans Affairs.
ACTION: Final rule.

SUMMARY: The Board of Veterans' Appeals (Board) adjudicates appeals from denials of claims for veterans' benefits filed with the Department of Veterans Affairs. This document amends the Board's Rules of Practice to reflect that "Office of Counsel to the Chairman (01C)" has been changed to "Office of the Senior Deputy Vice Chairman (012)."

DATES: *Effective Date:* January 11, 2000.

FOR FURTHER INFORMATION CONTACT: Steven L. Keller, Senior Deputy Vice Chairman (012), Board of Veterans' Appeals, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202-565-5978).

SUPPLEMENTARY INFORMATION: This final rule merely concerns agency management. Accordingly, we are dispensing with prior notice and

comment and delayed effective date provisions of 5 U.S.C. 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. 601–602, since this final rule does not contain any substantive provisions. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the regulatory flexibility analysis requirements of §§ 603 and 604.

Approved: December 6, 1999.

Togo D. West, Jr.

Secretary of Veterans Affairs,

For the reasons set out in the preamble, under 38 U.S.C. 501, 38 CFR chapter 1 is amended as set forth below:

CHAPTER I—DEPARTMENT OF VETERANS AFFAIRS

1. In chapter I, revise all references to “Office of Counsel to the Chairman (01C)” to read “Office of the Senior Deputy Vice Chairman (012)”.

[FR Doc. 00–606 Filed 1–10–00; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[085–1085b; FRL–6517–9]

Approval and Promulgation of Implementation Plans; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a variety of revisions to the State Implementation Plan (SIP) for Kansas. These revisions include revising and renumbering regulatory definitions, streamlining opacity requirements, expanding testing of gasoline delivery vehicles, and methods for calculating actual emissions. These revisions enhance and strengthen the SIP to promote attainment and maintenance of established air quality standards.

DATES: This direct final rule is effective on March 13, 2000 without further notice, unless EPA receives adverse comment by February 10, 2000. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: All comments should be addressed to: Christopher D. Hess, U.S.

EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, or via e-mail at hess.christopher@epamail.epa.gov.

Copies of the state submittal(s) are available at the following addresses for inspection during normal business hours: Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101; and the Environmental Protection Agency, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

Christopher D. Hess, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551–7213.

SUPPLEMENTARY INFORMATION:

Information regarding this action is presented in the following order:

Why is EPA taking this action?

Who should be concerned with these revisions?

How does EPA decide these revisions are approvable?

“Final Action.”

Throughout this document, wherever “we, us, or our” is used, that means EPA.

Why Is EPA Taking This Action?

The state of Kansas maintains a SIP that contains regulations, control measures, and strategies to maintain national ambient air quality standards (NAAQS). Our process for approving revisions to the SIP allows all interested citizens, government agencies, and regulated groups and individuals to know precisely what is in the SIP. It also allows us or the public to take enforcement action to address violations of the approved regulations.

Who Should Be Concerned With These Revisions?

If you use the state of Kansas’ regulatory definitions, are concerned with opacity requirements (especially in Wyandotte County), operate a gasoline delivery vehicle in Kansas City, or need to know how to calculate actual emissions, the revisions we are approving may interest you. We are providing a summary of each revision in the next four sections.

A. Kansas Regulatory Definitions

K.A.R. 28–19–7 of the previously approved SIP contained the primary definitions for the Kansas air quality regulations. This section is now revoked. The definitions are now included in K.A.R. 29–19–200, which is a planned renumbering of the regulations by the state. Furthermore, the Federal lists of volatile organic

compounds (VOC) and hazardous air pollutants that were previously contained in K.A.R. 28–19–7 are now contained in K.A.R. 28–19–201. K.A.R. 28–19–16a, regarding new source permit requirements for designated nonattainment areas, is amended to remove duplications of certain terms previously contained in K.A.R. 28–19–7 that now appear in K.A.R. 28–19–200.

The net effect is that the definitions are now renumbered, free of duplications, and the Federal lists are now separated from the main body of definitions so that changes generated by Federal revisions can be made quickly and without reprinting the entire definitions section (e.g., the new K.A.R. 28–19–200) each time a Federal revision is enacted.

B. Opacity

K.A.R. 28–19–50 of the previously approved SIP contained the general opacity regulations (“opacity” is a term that describes the percentage of visible air emissions allowable from an emissions unit). K.A.R. 28–19–52 contained the exceptions to the general opacity requirements contained in K.A.R. 28–19–50.

Both of the existing opacity regulations are now revoked. Their content is now incorporated into K.A.R. 28–19–650. This new, single regulation also incorporates provisions for Wyandotte County regarding opacity.

The net effect of these revisions is that previous opacity requirements remain in effect but are now contained in renumbered regulations. Additionally, by including the local rules from Wyandotte County, the state rule is now consistent with the local rule, which was previously approved by EPA as part of the SIP as a local, but not a state, rule.

C. Gasoline Delivery Vehicles in Kansas City

K.A.R. 28–19–70 in the Kansas air quality regulations establish controls on emissions of VOCs from gasoline delivery vehicles. The regulation is now revised so that inspections of vehicles to determine compliance is expanded from two months to five months of each year. This change will increase the ability of Kansas to ensure that testing and compliance demonstrations are performed for gasoline delivery vehicles.

D. Method for Determining Actual Emissions

In regulation K.A.R. 28–19–20, the state outlines various alternatives for calculating actual emissions for owners or operators of an emissions unit or stationary source.