

requirements, Security measures, Waterways.

### Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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, 160.5; 49 CFR 1.46.

2. From 6 a.m. September 19, 2001 until 4 p.m. March 19, 2002, a new temporary § 165.T14–057 is added to read as follows:

#### § 165.T14–057 Security zone: Chevron Multi-Point Mooring, Barbers Point Coast, Honolulu, HI.

(a) *Location.* The following area is a security zone: All waters encompassed by a circle extending 1,000 yards in all directions around the Chevron Multi-Point Mooring from the following coordinates: 21°18.3' North, 158°06.2' West. This security zone extends from the surface of the water to the ocean floor.

(b) *Designated representative.* A designated representative of the Captain of the Port is any Coast Guard commissioned officer, warrant or petty officer that has been authorized by the Captain of the Port Honolulu to act on his behalf. The following officers have or will be designated by the Captain of the Port Honolulu: The senior Coast Guard boarding officer on each vessel enforcing the security zone.

(c) *Regulations.* In accordance with the general regulations in § 165.33 of this part, when this zone is activated entry into this zone is prohibited unless authorized by the Captain of the Port or his designated representatives.

(d) *Effective dates.* This section is effective from 6 a.m. HST September 19, 2001 until 4 p.m. HST March 19, 2002 unless canceled earlier by the Captain of the Port Honolulu. This six-month security zone will be activated and deactivated via Broadcast Notice to Mariners as required.

Dated: September 18, 2001.

**G. J. Kanazawa,**

*Captain, U.S. Coast Guard, Captain of the Port, Honolulu.*

[FR Doc. 02–4955 Filed 2–28–02; 8:45 am]

**BILLING CODE 4910–15–U**

### DEPARTMENT OF VETERANS AFFAIRS

#### 38 CFR Part 36

**RIN 2900–AJ86**

#### Loan Guaranty: Advertising and Solicitation Requirements

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

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) loan guaranty regulations by prohibiting advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government. These provisions are necessary to ensure that lenders do not provide misleading information.

**DATES:** *Effective Date:* March 1, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. D. Finneran, Assistant Director for Loan Policy and Valuation (262), Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273–7368.

**SUPPLEMENTARY INFORMATION:** On December 8, 2000, VA published in the **Federal Register** (65 FR 76957) proposed regulatory amendments to prohibit advertisements or solicitations from lenders that falsely state or imply that they were issued by or at the direction of VA or any other entity of the United States Government.

We solicited comments for a 60-day period ending February 6, 2001. We did not receive any comments. Based on the rationale set forth in the proposed rule, we are adopting the provision of the proposed rule as a final rule.

#### Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3520).

#### Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

#### Regulatory Flexibility Act

The Secretary hereby certifies that adoption of this 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. The rule will not have more than a minuscule effect on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), the final rule is exempt from the initial

and final regulatory flexibility analysis requirement of sections 603 and 604.

The Catalog of Federal Domestic Assistance Program number is 64.114.

#### List of Subjects in 38 CFR Part 36

Condominiums, Flood insurance, Housing, Indians, Individuals with disabilities, Loan programs—housing and community development, Loan programs—Indians, Loan programs—veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: December 3, 2002.

**Anthony J. Principi,**

*Secretary of Veterans Affairs.*

For the reasons set out in the preamble, 38 CFR part 36 is amended as set forth below.

#### PART 36—LOAN GUARANTY

1. The authority citation for part 36 continues to read as follows:

**Authority:** 38 U.S.C. 501, 3701–3704, 3707, 3710–3714, 3719, 3720, 3729, 3762, unless otherwise noted.

2. Section 36.4227 is added to read as follows:

#### § 36.4227 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning manufactured housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

3. Section 36.4365 is added to read as follows:

#### § 36.4365 Advertising and Solicitation Requirements.

Any advertisement or solicitation in any form (e.g., written, electronic, oral) from a private lender concerning housing loans to be guaranteed or insured by the Secretary:

(a) Must not include information falsely stating or implying that it was issued by or at the direction of VA or any other department or agency of the United States, and

(b) Must not include information falsely stating or implying that the lender has an exclusive right to make loans guaranteed or insured by VA.

(Authority: 38 U.S.C. 3703, 3704)

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA248-0293a; FRL-7149-6]

### Revisions to the California State Implementation Plan, El Dorado Air Pollution Control District

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve a revision to the El Dorado County Air Pollution Control District's (EDCAPCD) portion of the California State Implementation Plan (SIP). The action consists of incorporating a revised version of Rule 523, New Source Review, into the SIP. The intended effect of approving Rule 523 is to regulate air pollution in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). Rule 523 consists of definitions of all terms relating to new sources and modifications to existing sources of air pollution, source

permitting requirements, including applicability, major source definitions, offsets, increment analysis, and Lowest Achievable Emission Rate (LAER)/Best Available Control Technology (BACT). EPA is finalizing the approval of Rule 523 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.

**DATES:** This rule is effective on April 30, 2002 without further notice, unless EPA receives adverse comments by April 1, 2002. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** to notify the public that this rule will not take effect.

**ADDRESSES:** Mail comments to Roger Kohn, Permits Office (AIR-3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

You can inspect copies of the submitted SIP revision and EPA's technical support document (TSD) at our Region IX office during normal business hours. You may also see copies of the submitted SIP revision at the following locations:

Environmental Protection Agency, Region 9,  
75 Hawthorne Street, San Francisco, CA  
94105

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 "I" Street, Sacramento, CA 95812.  
El Dorado County Air Pollution Control District, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667-4100.

**FOR FURTHER INFORMATION CONTACT:** Roger Kohn, Permits Office (AIR-3), U.S. Environmental Protection Agency, Region IX, (415) 972-3973, e-mail: [kohn.roger@epa.gov](mailto:kohn.roger@epa.gov)

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us" and "our" refer to EPA.

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#### I. The State's Submittal

##### A. What Rule Did the State Submit?

Table 1 lists the rule we are approving with the date that it was adopted by EDCAPCD and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULE

Local Agency	Rule #	Rule title	Adopted	Submitted
EDCAPCD .....	523	New Source Review ....	11/20/01	12/18/01

On January 4, 2002, this rule submittal was found to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

#### B. Are There Other Versions of This Rule?

We finalized a limited approval and limited disapproval of Rule 523 on February 2, 2000 (65 FR 4887). The limited approval portion of that rulemaking incorporated Rule 523 into the federally enforceable SIP and the limited disapproval portion of triggered sanctions and FIP clocks under sections 179(a) and 110(c) of the CAA. The EDCAPCD adopted a revision to the SIP-approved version and CARB submitted it to us on May 23, 2001. This revision was submitted to correct the deficiencies noted in EPA's February 2, 2000 rulemaking. Rule 523 was subsequently revised and submitted again on the dates indicated in Table 1 above. While we can act on only the

most recently submitted version of the rule, we have reviewed materials provided with the May 23, 2001 submittal.

#### C. What is the Purpose of the Submitted Rule Revision?

The rule revision contains new or revised provisions on offsets and interprecursor trading that correct the four rule deficiencies noted in our February 2, 2000 rulemaking. A detailed discussion of the rule deficiencies and the EDCAPCD rule revisions that corrected them is included in the Technical Support Document (TSD) for this rulemaking.

#### II. EPA's Evaluation and Action

##### A. How is EPA Evaluating the Rule?

Generally, SIP rules must be enforceable (see section 110(a) of the Act) and must not relax existing requirements (see sections 110(l) and 193).

Guidance and policy documents that we used to define specific requirements include the following:

The air quality planning requirements for nonattainment new source review (NSR) are set out in part D of title I of the Clean Air Act. EPA has issued a "General Preamble" describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under part D, including those State submittals containing nonattainment NSR SIP requirements (see 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)).

#### B. Does the Rule Meet the Evaluation Criteria?

We believe this rule is consistent with the relevant policy and guidance regarding enforceability, SIP relaxations, and nonattainment NSR requirements.