

southeasterly to False Point at 41°04.6' N. latitude, 71°52.1' W. longitude; thence easterly along the shoreline to Montauk Point Light, and including all islands and other land masses in Block Island Sound west of 71°51.6' W. longitude.

2. Section 3.15-15 is revised to read as follows:

§ 3.15-15 Albany Marine Inspection Zone and Captain of the Port.

(a) The Albany Marine Inspection Office and the Albany Captain of the Port Office are located in Albany, New York.

(b) The Albany Marine Inspection Zone and the Albany Captain of the Port Area start at the junction of the Massachusetts, Connecticut, and New York boundaries; thence in a southerly direction along the New York-Connecticut boundary to 41°28.0' N. latitude; thence due west to the east bank of the Delaware River near Barryville, New York; thence in a northwesterly direction along the east bank of the Delaware River to 42°00.0' N. latitude; thence due east to 74°39.0' W. longitude; thence due north to the Canadian border; thence east along the Canadian border to the northeast corner of the Orleans County line in Vermont; thence following the eastern and southern boundaries of Orleans, Franklin, Chittenden, Addison, and Rutland counties to the Vermont-New York boundary; thence south along the Vermont-New York boundary to its junction with the Massachusetts-New York boundary; thence south-southwesterly along the Massachusetts-New York boundary to the junction of the Massachusetts, New York, and Connecticut boundaries.

3. Section 3.15-25 is revised to read as follows:

§ 3.15-25 Philadelphia Marine Inspection Zone and Captain of the Port.

(a) The Philadelphia Marine Inspection Office and the Philadelphia Captain of the Port Office are located in Philadelphia, Pennsylvania.

(b) The Philadelphia Marine Inspection Zone and the Philadelphia Captain of the Port Area start at the New Jersey shoreline at 39°57.0' N. latitude; thence westward to 39°57.0' N. latitude, 74°27.0' W. longitude; thence north-northwesterly to the junction of the New York, New Jersey, and Pennsylvania boundaries at Tristate; thence north following the course of and including the waters of the Delaware River until it meets the New York boundary; thence west along the New York-Pennsylvania boundary to 78°55.0' W. longitude; thence south to 41°00.0' N. latitude; thence west to 79°00.0' W. longitude; thence south to the Pennsylvania-Maryland boundary; thence east to the junction of the Maryland-Delaware boundary; thence south and then east along the Maryland-Delaware boundary to the sea including Fenwick Island Light, but not including that portion of Delaware containing the reaches of the Nanticoke River and the Chesapeake and Delaware Canal.

4. Section 3.15-55 is revised to read as follows:

§ 3.15-55 New London Captain of the Port.

(b) The New London Captain of the Port area starts at Watch Hill Light, Rhode Island; thence southwesterly to the eastern end of Plum Island at 41°11.3' N. latitude, 72°09.7' W. longitude; thence along the southern shoreline of Plum Island to 41°09.9' N. latitude, 72°12.1' W. longitude; thence west to Orient Point Light; thence southwesterly along the northern shoreline of Long Island-New York to 72°38.0' W. longitude; thence due north to the Connecticut shoreline; thence westward along the Connecticut shoreline to 72°40.0' W. longitude; thence due north to the Connecticut-Massachusetts boundary; thence eastward along this boundary to the Rhode Island boundary; thence south along the Connecticut-Rhode Island boundary, excluding the waters of Beach Pond, to 41°22.6' N. latitude, 71°50.0' W. longitude at Westerly, Rhode Island; thence in a southerly direction along the east shore of the Pawcatuck River to Watch Hill Light; and including all islands and other land masses in Block Island Sound west of 71°51.6' W. longitude and north of 41°09.8' N. latitude.

5. Section 3.15-57(b) is revised to read as follows:

§ 3.15-57 New Haven Captain of the Port.

(b) The New Haven Captain of the Port area starts at the Connecticut-Massachusetts boundary at 72°40.0' W. longitude; thence south to the Connecticut shoreline; thence east along the shoreline to 72°38.0' W. longitude; thence due south to the Long Island-New York shoreline; thence west along the Long Island shoreline to 73°00.0' W. longitude; thence due south to 40°49.5' N. latitude; thence southwesterly to 40°41.5' N. latitude, 73°38.2' W. longitude; thence north to the north shore of Long Island at Dosoris Island at 40°53.7' N. latitude, 73°38.2' W. longitude; thence north-northwesterly to the southern shore of Manursing Island at 40°58.0' N. latitude, 73°40.0' W. longitude; thence north to the Connecticut-New York boundary at 41°01.5' N. latitude, 73°40.0' W. longitude; thence north to the Connecticut-New York boundary at 41°01.5' N. latitude, 73°40.0' W. longitude; thence northerly along the western boundary of Connecticut to the Massachusetts boundary; thence eastward along this boundary, including the waters of the Congamond Lakes, to 72°40.0' W. longitude.

6. Section 3.15-60(b) is revised to read as follows:

§ 3.15-60 New York Captain of the Port.

(b) The New York Captain of the Port area starts at the New Jersey shoreline at 39°57.0' N. latitude; thence westward

to 39°57.0' N. latitude, 74°27.0' W. longitude; thence north-northwesterly to the junction of the New York, New Jersey, and Pennsylvania boundaries at Tristate; thence along the east bank of the Delaware River to 41°28.0' N. latitude near Barryville, New York; thence due east to the New York-Connecticut boundary thence south along the New York-Connecticut boundary to 41°01.5' N. latitude, 73°40.0' W. longitude; thence due south to 40°58.0' N. latitude, 73°40.0' W. longitude at the southern shore of Manursing Island; thence south-south-easterly to the north shore of Long Island at Dosoris Island at 40°53.7' N. latitude, 73°38.2' W. longitude; thence due south to 40°41.5' N. latitude, 73°38.2' W. longitude; thence east-north-easterly to 40°49.5' N. latitude, 73°00.0' W. longitude; thence due north to the Long Island shoreline; thence east along the Long Island shoreline to Orient Point Light; thence easterly to the shoreline of Plum Island at 41°10.0' N. latitude, 72°12.1' W. longitude; thence along the southern shoreline of Plum Island to 41°11.3' N. latitude, 72°09.7' W. longitude; thence southeasterly to False Point at 41°04.6' N. latitude, 71°52.1' W. longitude; thence easterly along the shoreline to Montauk Point Light; and including all islands and other land masses in Block Island Sound west of 71°51.6' W. longitude and south of 41°09.8' latitude.

§ 3.15-50 and 3.15-65 [Revoked]

7. Sections 3.15-50 and 3.15-65 are deleted.

(5 U.S.C. 552; 14 U.S.C. 633; Sec. 6, Pub. L. 89-670, 80 Stat. 937 (49 U.S.C. 1655(b)); 35 FR 4959-59, 49 CFR 1.46(b))

Effective date: These amendments become effective on October 31, 1975.

Dated: September 23, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc. 75-26215 Filed 9-30-75; 8:45 am]

[CGD 1-75-2]

PART 127—SECURITY ZONES

Boston Harbor, Massachusetts, Termination

AUGUST 26, 1975.

The security zone at Pier 2B, Coast Guard Support Center, Boston, Massachusetts established by the Commander, First Coast Guard District on August 18, 1975 and published in the August 25, 1975 FEDERAL REGISTER (40 FR 37036) is terminated as of August 22, 1975.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by revoking Section 127.102.

(50 U.S.C. 191; 49 U.S.C. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR 1949-1953 Comp. 356, 778, 873; 3 CFR 1964-1965 Comp. 349; 33 CFR Part 6, 49 CFR 1.46(b))

Effective date: This amendment is effective August 25, 1975.

Dated: August 26, 1975.

H. A. CRETILLA,
Captain, U.S. Coast Guard, Acting
Commander, First Coast
Guard District, Boston, Massachusetts.

[FR Doc. 75-26216 Filed 9-30-75; 8:45 am]

[CGD 3-75-7]

PART 127—SECURITY ZONES

**Termination of Security Zone;
Governors Island, N.Y.**

The security zone established by the Captain of the Port, New York, as published in the August 25, 1975 issue of the *FEDERAL REGISTER* (40 FR 37037), was terminated on August 29, 1975.

§ 127.333 [Revoked]

Section 127.333 is revoked.

(40 Stat. 220, as amended, 6(b), 80 Stat. 937; 50 U.S.C. Art. 191, 49 U.S.C. Art. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR 1964-1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46 (b)).

Dated: August 29, 1975.

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

[FR Doc. 75-26218 Filed 9-30-75; 8:45 am]

**Title 38—Pensions, Bonuses, and
Veterans' Relief**

**CHAPTER I—VETERANS
ADMINISTRATION**

PART 3—ADJUDICATION

**Pension, Compensation, and Dependency
and Indemnity Compensation; Deletion
of Obsolete Terms**

The Administrator of Veterans' Affairs amends §§ 3.551, 3.556, 3.557, 3.558 and 3.559 of Part 3 of Title 38, Code of Federal Regulations to delete obsolete terms relating to discharges and absences from hospitals and position titles.

Many terms formerly used in connection with hospital absences have been eliminated and in some instances new terms have been substituted. The current terms relating to discharge or releases from inpatient care are "regular discharge", "irregular discharge", "non-bed care", and "out-patient treatment". "Regular discharges" are approved hospital separations upon completion of treatment. "Irregular discharges" are issued to patients who are released against medical advice, for disciplinary reasons, or who fail to return from authorized absences. A release to "non-bed care" is a termination of inpatient status where the veteran is considered to remain in the constructive custody of the chief officer of the institution. A release to "outpatient treatment" is a termination of inpatient or hospital status with treatment to be continued on an outpatient basis. Temporary absences are "authorized" or "unauthorized". "Authorized absences" of

up to 14 days may be granted to long-term patients. Other patients may be granted "authorized absences" up to 96 hours. "Unauthorized absence" is the status applicable to certain patients who are absent without authorization or failed to return from "authorized absence" and for whom irregular discharges are not in order under existing directives. The amendments to §§ 3.556 and 3.558 incorporate current terminology relating to hospital absences and discharges.

Certain nonlegal functions which were formerly under the jurisdiction of the Chief Attorney have been transferred to the Veterans Services Officer. Official titles in §§ 3.557 and 3.559 have been changed to reflect this change in jurisdiction.

Minor additional editorial changes are made in §§ 3.551, 3.557 and 3.558 to reflect agency policy to avoid any appearance of seeming to preclude benefits for female veterans, dependents or beneficiaries.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose since the amendments are editorial in nature and do not effect any change in benefits or entitlement.

1. In § 3.551, paragraph (c) (1), (d) and (e) are revised to read as follows:

§ 3.551 Reduction because of hospitalization.

(c) *Reduction after 2 months.* * * *

(1) Where pension was being paid to a married veteran at the rate prescribed by 38 U.S.C. 521(b), all or any part of the rates payable under 38 U.S.C. 521(c) or (d) and (e) may be apportioned for an estranged wife or husband as provided in § 3.454(b). (38 U.S.C. 3203(a))

(d) *Computation of period.* In computing the period of hospitalization prior to reduction under paragraph (c) of this section, the period will be extended by reason of authorized absence in excess of 96 hours after the month of admission. An authorized absence of 96 hours or less is included as part of the period of hospitalization. For the purposes of paragraph (c) of this section, the veteran will be considered to have been hospitalized for 2 calendar months when he (or she) has received a total of 60 days of treatment or care, exclusive of authorized absences in excess of 96 hours.

(e) *Readmission.* (1) *Regular discharge.* Except as provided in paragraph (c) of this section, where a veteran has been given an approved discharge or release, readmission the next day to the same or any other Veterans Administration institution begins a new period of hospitalization, unless the veteran was released for purposes of admission to another Veterans Administration institution.

(2) *Irregular discharge.* When a veteran whose award is subject to reduction under paragraph (b) of this section has

been discharged or released from a hospital against medical advice or as the result of disciplinary action, reentry within 6 months from the date of a previous admission constitutes a continuation of that period of hospitalization, and the award will not be reduced prior to the first day of the seventh calendar month following the month of original admission, exclusive of authorized absences. Except as provided in the preceding sentence, if a veteran reenters a hospital within 6 months after an irregular discharge or release against medical advice or as a result of disciplinary action, the award will be reduced as of the date of readmission. A reentry 6 months or more after such discharge or release will be considered as a new admission. (Pub. L. 89-362)

2. In § 3.556, paragraphs (b), (c), (d), (e) and (f) are revised to read as follows:

§ 3.556 Adjustment on discharge or release.

(b) *Temporary absence—less than 30 days.* A temporary absence of less than 30 days, including the day of departure, will not require adjustment of the award. This applies to any approved absence. Any allowance for regular aid and attendance for such periods will be authorized after the veteran has been discharged from the hospital.

(c) *Adjustment based on need.* Where an award of pension was reduced under § 3.551(c), the full rate covering absences of less than 30 days may be restored, subject to prior payments, prior to discharge from hospitalization at the request of the Director of the hospital, center or domiciliary, where this action is necessary to meet the veteran's financial needs, if the veteran has been hospitalized for more than 6 months and the periods of absence exceed a total of 30 days.

(d) *Irregular discharge.* When a competent veteran is given an irregular discharge, the full rate will be restored effective the date of release from the hospital. Payment of any amount withheld under § 3.551(b) will not be authorized until the expiration of 6 months after termination of hospitalization unless the prior release is changed to a regular release. However, amounts not paid under paragraph (c) of this section covering absence of less than 30 days where the award was reduced under § 3.551(c) will be authorized immediately.

(e) *Regular discharge.* When a veteran, either competent or incompetent, is given a regular discharge or release, the full rate, including any allowance for regular aid and attendance will be restored effective the date of release from the hospital, subject to prior payments. The award will be based on the most recent rating and, where the award was reduced under § 3.551(b), will include, in the case of a competent veteran, any amounts withheld because of hospitalization. The amount withheld for an incompetent veteran will not be authorized

until the expiration of 6 months following a rating of competency by the Veterans Administration or 6 months following removal of legal disability, whichever is later. Any institutional award will be discontinued effective date of last payment, as provided in § 3.501(j). Where an apportionment made under § 3.551(c) is not continued, the apportionment will be discontinued effective the day preceding the date of the veteran's release from the hospital, or, if adjusted, effective the date of the veteran's release from the hospital, unless an overpayment would result. In the excepted cases, the awards to the veteran and apportionee will be adjusted as of date of last payment.

(f) *Types of discharges.* A discharge is considered regular if it is granted because of having received maximum hospital benefits. A discharge for disciplinary reasons or because of the patient's refusal to accept, neglect of or obstruction of treatment; refusal to accept transfer, or failure to return from authorized absence, is considered irregular.

3. In § 3.557, paragraphs (a), (b) and (d) are revised to read as follows:

§ 3.557 Incompetents; estate over \$1,500 and hospitalized.

(a) Where a veteran having neither wife, husband, child, nor dependent parent is being hospitalized by the Veterans Administration and is rated incompetent by the Veterans Administration by reason of mental illness, the pension of such veteran will be subject to reductions as provided in § 3.551.

(b) Effective December 1, 1959, where a veteran: (1) Is rated incompetent by the Veterans Administration by reason of mental illness, and (2) has neither wife, husband nor child, and (3) is hospitalized by the United States or any political subdivision, with or without charge, and (4) has an estate, derived from any source, which equals or exceeds \$1,500, further payments of pension, compensation or emergency officers' retirement pay will not be made, except as provided in paragraph (d) of this section, until the estate is reduced to \$500. If the veteran is hospitalized for observation and examination, the date treatment began is considered the date of admission.

(d) Payment of pension, compensation or emergency officers' retirement pay to a veteran subject to the provisions of paragraph (b) of this section will be discontinued from the first day of the month in which his or her estate equals or exceeds \$1,500. All or any part of the benefit not paid to the veteran may be apportioned for his or her dependent parents on the basis of need as determined by the Veterans Services Officer. If the veteran is not hospitalized by the Veterans Administration there may be paid out of any remaining amounts so much of the pension, compensation or emergency officers' retirement pay as equals the amount charged the veteran for his or her current care and maintenance in the institution in which the treatment or care is furnished, but not more than the amount determined to be the proper charge.

4. In § 3.558, paragraphs (b) and (c) (2) are revised to read as follows:

§ 3.558 Resumption — incompetents \$1,500 estate cases.

(b) Payments for the veteran will be resumed and apportionment awards discontinued under the applicable provisions of § 3.556 (a), (d) and (e) upon authorized absence from the hospital for 30 days or more or a regular or irregular discharge or release. Care and maintenance payments to an institution will not be made for any period the veteran is not receiving such care and maintenance.

(c) Any amount not paid because of the provisions of § 3.557 will be awarded:

(2) For a veteran rated incompetent by the Veterans Administration who had met the provisions of paragraph (c) (1) and who was again rated incompetent by the Veterans Administration before award action could be taken thereunder, if he or she has a proper dependent, and if there was no error in the intervening rating of competency. For the purpose of amounts not paid because of the provisions of § 3.557(a), a proper dependent is a wife, husband, child or dependent parent. For the purpose of amounts not paid because of the provisions of § 3.557 (b), a proper dependent is a wife, husband or child.

5. In § 3.559, paragraphs (a) and (b) are revised to read as follows:

§ 3.559 Resumption—\$1,500 cases where estate includes those in action.

(a) Where payments have been discontinued because of hospitalization and there exists only a claim against a defunct bank, or other institution, or the entire estate is the subject of litigation, or consists of investments of undetermined value, and there is no income to provide for clothing and other needs, and comforts for the veteran, the Veterans Services Officer may consider the guardian's statement setting forth the facts and estimating what the said claim or chose in action would sell for in the open market. If the Veterans Services Officer is satisfied that the value of the estate does not exceed \$500, he or she will prepare a certificate to that effect. Upon receipt of this certification by the Claims activity, payments will if otherwise in order be authorized effective the first day of the month in which award action is taken.

(b) When the claim is settled or litigation terminated the Veterans Services Officer will again review the case and, if the estate is then \$1,500 or more, will forward an appropriate certification to the Claims activity.

Effective date: These VA Regulations are effective September 24, 1975.

Approved: September 24, 1975.

By direction of the Administrator.

[SEAL] **ODELL W. VAUGHN,**
Deputy Administrator.

[FR Doc. 75-26184 Filed 9-30-75; 8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—A: PROGRAMS

[FRL 438-3]

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Delegation of Authority To State of California on Behalf of Kern County and Trinity County Air Pollution Control Districts

Pursuant to the delegation of authority for the standards of performance for new stationary sources (NSPS) to the State of California on behalf of the Kern County Air Pollution Control District and the Trinity County Air Pollution Control District, dated August 18, 1975, EPA is today amending 40 CFR 60.4, Address, to reflect this delegation. A Notice announcing this delegation is published today at 40 FR 7777. The amended § 60.4 is set forth below. It adds the addresses of the Kern County and Trinity County Air Pollution Control Districts, to which must be addressed all reports, requests, applications, submittals, and communications pursuant to this part by sources subject to the NSPS located within these Air Pollution Control Districts.

The Administrator finds good cause for foregoing prior public notice and for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on August 18, 1975, and it serves no purpose to delay the technical change of this addition of the Air Pollution Control District addresses to the Code of Federal Regulations.

This rulemaking is effective immediately, and is issued under the authority of Section 111 of the Clean Air Act, as amended. 42 U.S.C. 1857c-6.

Dated: September 25, 1975.

STANLEY W. LEGRO,
Assistant Administrator for
Enforcement.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. In § 60.4 paragraph (b) is amended by revising paragraph F, to read as follows:

§ 60.4 Address.

(b) * * *

(A)—(E) * * *

F—California—

Bay Area Air Pollution Control District,
939 Ellis St., San Francisco, CA 94109.

Del Norte County Air Pollution Control
District, Courthouse, Crescent City, CA 95531.

Humboldt County Air Pollution Control
District, 5600 S. Broadway, Eureka, CA 95501.

Kern County Air Pollution Control Dis-
trict, 1700 Flower St. (P.O. Box 997), Bakers-
field, CA 93302.

Monterey Bay Unified Air Pollution Con-
trol District, 420 Church St. (P.O. Box 487),
Salinas, CA 93901.