

in order to clarify the text of the rule so that it unambiguously reflects the Commission's intent as explained in the preamble to the final certification rule, the Commission is deleting the words "prior to purchase" from the first sentence of § 1205.35(d).

This amendment merely changes the wording of the final rule to more clearly state the Commission's intent as it was explained in the **Federal Register** notice that issued the rule. The amendment does not change any existing practice or interpretation of the Commission and will not require any manufacturer to change present labeling practices. Therefore, this amendment is not a material change to the standard, and the provisions of sections 7 and 8 and subsections (a) through (g) of section 9 of the Consumer Product Safety Act, 15 U.S.C. 2056-2058(g), do not apply. 15 U.S.C. 2058(h). For the same reasons, this rule will not have a significant economic impact on a substantial number of small entities and will have no significant effect on the environment. Therefore, no regulatory flexibility analysis, environmental assessment, or environmental impact statement is required.

Since the amendment does not change existing practices but may serve to notify mower manufacturers that there are no longer any requirements for a label or statement on containers or in promotional literature for newly manufactured mowers, notice and public comment on this amendment are unnecessary and contrary to the public interest. Therefore, the Commission is issuing this change to the regulatory text in final form. Since this amendment is an interpretive rule that relieves a restriction, and in order that the clarification of the regulation will be implemented as soon as possible for the benefit of mower manufacturers, this amendment is effective immediately, as authorized by 5 U.S.C. 553(d).

List of Subjects in 16 CFR Part 1205

Consumer protection, Labeling, Lawn mowers, Reporting and recordkeeping requirements.

PART 1205—[AMENDED]

Therefore, for the reasons stated above, the Commission amends 16 CFR Part 1205 as follows:

1. The authority citation for Part 1205 reads as follows:

Authority: Secs. 2, 3, 7, 9, 14, 19, Pub. L. 92-573, 86 Stat. 1207, 1208, 1212-1217, 1220, 1224; 15 U.S.C. 2051, 2052, 2056, 2058, 2063, 2068; sec. 1212, Pub. L. 97-35, 95 Stat. 357.

§ 1205.35 [Amended]

2. In Part 1205, § 1205.35(d) is amended by deleting the words "prior to purchase" from the end of the first sentence.

Dated: July 5, 1984.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 18224 Filed 7-10-84; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 102

[Docket No. 80N-0140]

Common or Usual Name for Nonstandardized Foods; Diluted Fruit or Vegetable Juice Beverages; Extension of Effective Date

Correction

In FR Doc. 84-17273, appearing on page 26541, in the issue of Wednesday, June 27, 1984, make the following corrections:

1. In the First column, in the Summary, in the eleventh line, "EDA" should read "FDA".

2. In the second column, in the For Further Information Contact paragraph, the last line should read "0177".

3. In the second column, in Supplementary Information, in the second paragraph, in the seventh line "49 FR 22931" should read "49 FR 22831".

4. In the third column, in the seventeenth line, "104" should read "1041".

BILLING CODE 1505-01-M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 223

Sale and Disposal of National Forest System Timber; Suspension and Debarment of Timber Purchasers

AGENCY: Forest Service, USDA.

ACTION: Extension of interim rule.

SUMMARY: On May 27, 1983, the Department of Agriculture promulgated an interim rule, at 36 CFR 223.12, governing debarment and suspension of National Forest System timber purchasers (48 FR 23818). This rule essentially adopted the revised policies and procedures on debarment and suspension contained in the Federal

Procurement Regulations; however, necessary modifications were made to accommodate the Forest Service timber sale program. The intended effect was to ensure that Forest Service timber sale contracts are awarded to responsible purchasers.

Subsequent to issuing the interim rule at 36 CFR 223.12, Part 223 was recodified (49 FR 2760). The interim rule is now codified as Subpart C and paragraphs (a) through (p) of former § 223.12 are now §§ 223.130-223.145, respectively.

At the time the interim rule was issued, the Department stated its intent that the rule remain in effect only one year. However, unforeseen delays in issuing a proposed rule require that the interim rule remain in effect until a final rule governing debarment and suspension of timber purchasers can be issued. Failure to extend the interim rule would deprive the government of appropriate procedures for protecting the public interest on timber sale contracts.

EFFECTIVE DATE: The interim rule is extended effective July 11, 1984, and remains in effect until removed by subsequent rulemaking.

FOR FURTHER INFORMATION CONTACT: Lloyd W. Olson, Timber Management Staff, Forest Service, USDA, P.O. Box 2417, Washington, DC 20013, (202) 475-3758, or Rhea Daniels Moore, Attorney, Natural Resources Division, Office of the General Counsel, USDA (202) 447-4801.

Dated: June 28, 1984.

Douglas W. MacCleery,

Deputy Assistant Secretary for Natural Resources and Environment.

[FR Doc. 84-18479 Filed 7-10-84; 9:57 am]

BILLING CODE 3410-11-M

VETERANS ADMINISTRATION

38 CFR Part 3

Eligibility for Annual Clothing Allowance

AGENCY: Veterans Administration.

ACTION: Final regulatory amendment.

SUMMARY: The Veterans Administration is amending its adjudication regulations concerning basic eligibility for the annual clothing allowance available to certain disabled veterans. This action is required because, in accordance with 38 U.S.C. 351, certain disabilities which are not related to military service may also establish eligibility for this benefit. The intended effect of this regulatory amendment is to expand the class of veterans eligible for the annual clothing

allowance in accordance with that determination.

EFFECTIVE DATE: May 12, 1983.

FOR FURTHER INFORMATION CONTACT: Robert M. White, Compensation and Pension Service (211B), Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW, Washington, DC 20420, (202) 389-3005.

SUPPLEMENTARY INFORMATION: On pages 10945 and 10946 of the *Federal Register* of March 23, 1984, the Veterans Administration published a proposed amendment to 38 CFR 3.810. Interested persons were given 30 days to submit comments, suggestions, or objections to the proposed amendment. Since no comments, suggestions or objections were received, the amendment has been adopted as proposed.

The Administrator has certified that this regulatory amendment will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. The reason for this certification is that this amendment would not directly affect any small entities. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

In accordance with Executive Order 12291, Federal Regulation, the VA has determined that this regulatory amendment is non-major for the following reasons:

- (1) It will not have an effect on the economy of \$100 million or more.
- (2) It will not cause a major increase in costs or prices.
- (3) It will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, claims, handicapped, health care, pensions, veterans.

(Catalog of Federal Domestic Assistance program number is 64.109)

Approved: June 18, 1984.

By direction of the Administrator.
Everett Alvarez, Jr.,
Deputy Administrator.

PART 3—[AMENDED]

38 CFR Part 3 ADJUDICATION, is amended by revising § 3.810(a) to read as follows:

§ 3.810 Clothing allowance.

(a) A veteran whose disability is compensable under chapter 11 of Title 38, United States Code is entitled, upon application therefor, to an annual clothing allowance as specified in 38 U.S.C. 362. The annual clothing allowance is payable in a lump sum, and the compensable disability must be either service-connected or compensable under 38 U.S.C. 351 as if it were service-connected. The following eligibility criteria must also be satisfied:

(1) A VA examination or hospital or examination report from a facility specified in § 3.326(c) discloses that the veteran wears or uses certain prosthetic or orthopedic appliances which tend to wear or tear clothing (including a wheelchair) because of such disability and such disability is the loss or loss of use of a hand or foot compensable at a rate specified in § 3.350 (a), (b), (c), (d), or (f); or

(2) The Chief Medical Director or designee certifies that because of such disability a prosthetic or orthopedic appliance is worn or used which tends to wear or tear the veteran's clothing. For the purposes of this paragraph "appliance" includes a wheelchair.

(38 U.S.C. 210(c))

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[FR Doc. 84-18293 Filed 7-10-84; 8:45 am]
BILLING CODE 8320-01-M

38 CFR Part 36

Loan Guaranty; Substitution of Home Loan Entitlement When Veteran-Transferee Is Not an Immediate-Transferee

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The VA (Veterans Administration) in implementing the Veterans' Compensation and Program Improvements Amendments of 1984, is amending its regulations to conform to a statutory change allowing substitution of entitlement when the veteran assuming a VA loan is not the immediate-transferee of the original veteran-purchaser. This change allows some veterans to regain their entitlement and acquire another VA-guaranteed home loan.

EFFECTIVE DATE: March 2, 1984.

FOR FURTHER INFORMATION CONTACT:

George D. Moerman, Assistant Director for Loan Policy (264), Loan Guaranty Service, Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 389-3042.

SUPPLEMENTARY INFORMATION: These amendments implement the provision of section 204 of The Veterans' Compensation and Program Improvements Amendments of 1984 (Pub. L. 98-223, 98 Stat. 37). Previously, the statute allowed a veteran's entitlement to be restored if:

(1) The property which served as security for the loan has been disposed of by the veteran, or has been destroyed by fire or other natural hazard; and

(2) The loan has been repaid in full, or the Administrator has been released from liability as to the loan, or if the Administrator has suffered a loss on said loan, such loss has been repaid in full; or

(3) An immediate veteran-transferee has agreed to assume the outstanding balance on the loan and consented to the use of his or her entitlement to the extent the entitlement of the veteran-transferee had been used originally, and the veteran-transferee is otherwise considered eligible.

In the present real estate market, the sale of a home with the assumption of the existing mortgage loan is becoming more common. The fact that VA-guaranteed loans are freely assumable is an important feature of this type of financing. The substitution of entitlement feature has enabled veteran-purchasers to take advantage of the assumability of the VA loan, and has also benefited veteran-sellers by allowing them to obtain new VA financing for another home. It is being found, however, that loans are often assumed by two or more different purchasers, and an increasing number of requests are being received for substitution of entitlement when the veteran assuming the loan is not an immediate transferee of the original veteran. These developments gave rise to section 204 which is intended to permit assumptions in these circumstances. This change permits substitution of entitlement even if the veteran assuming the VA-guaranteed loan is not the immediate transferee of the original veteran-purchaser. As the result of this legislation, many veterans will be able to utilize their loan guaranty benefits again to purchase a home, and more veterans will be able to use their VA benefits to assume and existing loan.

Technical amendments have also been made to the appropriate sections of the regulations to change the term "mobile home" to "manufactured home." These changes are made so that the terminology of the regulations will be in conformity with the language of Pub. L. 97-306, 96 Stat. 1429, enacted October 14, 1982.

These amendments conform the existing regulations to the requirements of Pub. L. 98-223. Since these regulation changes simply repeat a statutory change intended to provide an additional benefit to veterans seeking VA-guaranteed home loans, the VA is not seeking public participation in promulgating these regulations. The intent of this liberalizing legislation is clear, and prior publication for public comment is unnecessary. Accordingly, these changes come within exceptions the general VA policy of prior publication of proposed regulatory development as set out in 38 CFR 1.12.

Because a proposed notice is not necessary and will not be published, these changes do not come within the definition of the term "rule" (5 U.S.C. 601(2)) under the Regulatory Flexibility Act, and are not subject to the requirements of that Act.

The regulations have been reviewed under Executive Order 12291, entitled Federal Regulation, and are not considered major as defined in the Executive Order. The regulations will not impact on the public or private sectors as a major rule. They will not have an annual effect on the economy of \$100 million or more, cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

These amendments are adopted under authority granted to the Administrator by sections 210(c), 1802(b)(2), 1803(c)(1) and 1819(g) to Title 38, United States Code, and the enabling legislation.

(Catalog of Federal Domestic Assistance Program numbers, 64.114 and 64.119)

List of Subjects in 38 CFR Part 36

Condominiums, Handicapped, Housing Loan programs—housing and community development, Manufactured homes, Veterans.

Approved: June 12, 1984.

By direction of the Administrator.
Everett Alvarez, Jr.,
Deputy Administrator

PART 36—[AMENDED]

38 CFR Part 36, Loan Guaranty, is amended as follows:

§ 36.4203 [Amended]

1. In § 36.4203, paragraph (a)(3) is amended by removing the words "An immediate" and substituting the word "A".

§ 36.4302 [Amended]

2. In § 36.4302, the introductory portion of paragraph (c) is amended by changing the word "ascertainment" to "computation"; paragraphs (c) (1), (2) and (3) are amended by changing the word "mobile" to "manufactured" wherever it appears; and paragraph (h) (3) is amended by removing the words "An immediate" and substituting the word "A".

(Pub. L. 98-223, sec. 204)

[FR Doc. 84-18291 Filed 7-10-84; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[OAR-FRL-2626-3]

Air Programs; Approval and Promulgations of State Implementation Plans; Utah TSP Nonattainment Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: This notice approves the Utah State Implementation Plan (SIP) for total suspended particulates (TSP) in Salt Lake County and eliminates the current major stationary source construction moratorium for TSP in Salt Lake County. The most recent supplemental information related to that portion of the SIP was submitted to EPA on February 3, 1984. This notice also redesignates Salt Lake County and Utah County to attainment for TSP under section 107 of the Clean Air Act. Finally, this notice corrects an error in the December 21, 1983 (48 FR 56378) approval of the Utah Carbon Monoxide Plan for Provo, Utah.

DATES: This action will be effective on September 10, 1984, unless notice is received by August 10, 1984, that someone wishes to submit adverse or critical comments.

ADDRESSES: Copies of the revision are available for public inspection between 8:00 a.m. and 4:00 p.m. Monday through Friday at the following offices.

Environmental Protection Agency,
Region VIII, Air Programs Branch,
1860 Lincoln Street, Denver, Colorado 80295

Environmental Protection Agency,
Public Information Reference Unit,
Waterside Mall, 401 M Street, SW.,
Washington, D.C. 20460
The Office of the Federal Register, 1100
L Street, NW., Room 8401,
Washington, D.C. 20408

FOR FURTHER INFORMATION CONTACT:
Robert DeSpain, Air Programs Branch,
Environmental Protection Agency, 1860
Lincoln Street, Denver, Colorado 80295,
(303) 837-3471.

SUPPLEMENTARY INFORMATION: This action addresses several issues related to the State Implementation Plan (SIP) for Utah. These are each discussed below:

Salt Lake County TSP Plan

On December 21, 1981 (46 FR 61859), EPA approved, for the most part, the Utah SIP for TSP nonattainment areas. That action explained that the SIP did not have enforceable opacity limits for some stacks at the Kennecott Copper Company's smelter in Magna, and for two Utah Power and Light facilities. Because of the need to have a method to insure continuing compliance, EPA previously withheld approval of the SIP for those sources.

On March 1, 1982, the State of Utah submitted a SIP revision which addressed all of the sources at issue except for the main stack at the Kennecott smelter. At that time the State was working with the Company on the best approach to meet the requirement for that stack. On June 11, 1982 (47 FR 2536), EPA approved the submission; but because of the continuing deficiency with regard to the smelter stack, EPA was not able to approve the overall SIP and left the construction moratorium in effect in Salt Lake County.

The Kennecott Minerals Company (KMC) has maintained that because of the unique nature of their process, plume opacity is not a true reflection of the emissions from the stack. As a substitute the Company has proposed a "continuous" in-stack sampling method which collects a 24-hour sample of the particulates in the gas stream. However, the proposed method which would be used for determining compliance with the SIP has never been shown to be equivalent to the method 5 stack test