

disallowed by CHAMPUS. Requests for payment of educational costs must be referred to the Director, OCHAMPUS, or designee for review and a determination of the applicability of CHAMPUS benefits.

(5) Any future adjustments to the RTC rates will be limited to annual changes in the CPI-U for medical care, at the discretion of the Director, OCHAMPUS, or designee.

(g) * * *

(2) *All-inclusive rate.* Claims from individual health-care professional providers for services rendered to CHAMPUS beneficiaries residing in an RTC that is either being reimbursed on an all-inclusive per diem rate, or is billing an all-inclusive per diem rate, shall be denied; with the exception of independent health-care professionals providing geographically distant family therapy to a family member residing a minimum of 250 miles from the RTC or covered medical services related to a nonmental health condition rendered outside the RTC. Reimbursement for individual professional services is included in the rate paid the institutional provider.

L.M. Bynum,
Alternate OSD Federal Register Liaison
Officer, Department of Defense.

July 27, 1988.

[FR Doc. 88-17228 Filed 7-29-88; 8:45]

BILLING CODE 3810-01-M

Coast Guard

33 CFR Part 117

[CGD7-88-22]

Drawbridge Operation Regulations; Harbor River, SC

AGENCY: Coast Guard, DOT.

ACTION: Final rule—Revocation.

SUMMARY: This amendment revokes the regulations for the U.S. 21 drawbridge across the Harbor River, mile 0.6 near Beaufort, South Carolina. This action is being taken at the request of the bridge owner. Notice and public procedure have been omitted from this action due to the lessening of the impacts on navigational interests.

EFFECTIVE DATE: This rule becomes effective on August 31, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Pruitt, Bridge Administration Specialist, Seventh Coast Guard District, (305) 536-4103.

Drafting Information: The drafters of this rule are Mr. Gary Pruitt, Bridge Administration Specialist, Project Officer, and Lieutenant Commander S.T. Fuger, Jr., Project Attorney.

SUPPLEMENTARY INFORMATION: This action has no economic consequences. It merely revokes regulations that are now meaningless because they pertain to a drawbridge that has 24-hour bridge tender service and opens on signal. Consequently, this action is considered to be non-major under Executive order 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034, February 26, 1979). Since there is no economic impact a full regulatory evaluation is unnecessary.

Because no notice of proposed rulemaking is required under 5 U.S.C. 553, this action is exempt from the Regulatory Flexibility Act (5 U.S.C. 605(b)). However, this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

In consideration of the foregoing, part 117 of Title 33, Code of Federal Regulations, is amended 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).

§ 117.931 [Removed]

2. Section 117.931 is removed.

Dated: July 19, 1988.

Martin H. Daniell,

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

[FR Doc. 88-17200 Filed 7-29-88 8:45 am]

BILLING CODE 4910-14-M

VETERANS ADMINISTRATION

38 CFR Part 21

Veterans Education; Clarification of Mitigating Circumstances

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The law requires that the Veterans Administration (VA) not pay a veteran for a course from which he or she withdraws without mitigating circumstances. When he or she withdraws with mitigating circumstances, the veteran is paid

through the date of withdrawal. In the course of administering the various veterans' education programs the VA has established a policy of considering the circumstances surrounding a withdrawal during a drop-add period to have been mitigating. However, this policy has not appeared in the appropriate regulations. These amended regulations correct this oversight and inform the public of the way in which the VA is administering this provision of law.

EFFECTIVE DATE: July 11, 1988.

FOR FURTHER INFORMATION CONTACT: June C. Schaeffer, Assistant Director for Education Policy and Program Administration (225), Vocational Rehabilitation and Education Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420 (202) 233-2092.

SUPPLEMENTARY INFORMATION: On pages 5806 and 5807 of the Federal Register of February 26, 1988, there was published a notice of intent to amend Part 21 to state additional circumstances which the VA considers to be mitigating when a veteran or eligible person withdraws from a course. Interested people were given 32 days to submit comments, suggestions or objections. The VA received no comments, suggestions or objections. Accordingly, the agency is making the amended regulations final.

The VA has determined that these amended regulations do not contain a major rule as that term is defined by E.O. 12291, entitled Federal Regulation. The regulations will not have a \$100 million annual effect on the economy, and will not cause a major increase in costs or prices for anyone. They will have no 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.

The Administrator of Veterans Affairs has certified that these amended regulations 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. Pursuant to 5 U.S.C. 605(b), the amended regulations, therefore, are exempt from the initial and final regulatory flexibility analyses requirements of §§ 603 and 604.

This certification can be made because the regulations affect only individuals. They will have no

significant economic impact on small entities, i.e., small businesses, small private and nonprofit organizations and small governmental jurisdictions.

The Catalog of Federal Domestic Assistance number for the programs affected by these regulations are 64.111 and 64.117.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: July 11, 1988.

Thomas K. Turnage,
Administrator.

38 CFR Part 21, VOCATIONAL REHABILITATION AND EDUCATION, is amended as follows:

PART 21—[AMENDED]

1. In § 21.4136, paragraph (l)(4) is added to read as follows:

§ 21.4136 Rates; educational assistance allowance; 38 U.S.C. Chapter 34.

(l) *Mitigating circumstances.* * * *

(4) If the student withdraws from a course during a drop-add period, the VA will consider the circumstances which caused the withdrawal to be mitigating. Veterans who withdraw from a course during a drop-add period are not subject to the reporting requirement found in paragraph (k)(1)(ii) of this section.

Authority: 38 U.S.C. 1780(a)

2. In § 21.4137, paragraph (h)(4) is added to read as follows:

§ 21.4137 Rates; education assistance allowance; 38 U.S.C. Chapter 35.

(h) *Mitigating circumstances.* * * *

(4) If an eligible person withdraws from a course during a drop-add period, the VA will consider the circumstances which caused the withdrawal to be mitigating. Eligible persons who withdraw from a course during a drop-add period are not subject to the reporting requirement found in paragraph (h)(1)(ii) of this section.

Authority: 38 U.S.C. 1780(a)

[FR Doc. 88-17227 Filed 7-29-88; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-1-FRL-3421-5]

Approval and Promulgation of Air Quality Implementation Plans, Connecticut; Reasonably Available Control Technology for American Cyanamid Co.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Connecticut. This revision establishes and requires the use of reasonably available control technology (RACT) to control volatile organic compounds (VOC) emissions from American Cyanamid Company in Wallingford, Connecticut. The intended effect of this action is to approve a source-specific RACT determination made by the State in accordance with commitments made in its Ozone Attainment Plan which was approved by EPA on March 21, 1984 (49 FR 10542). This action is being taken in accordance with section 110 of the Clean Air Act.

EFFECTIVE DATE: This rule will become effective August 31, 1988.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Room 2313, Boston, MA 02203; and the Air Compliance Unit, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

FOR FURTHER INFORMATION CONTACT: David B. Conroy, (617) 565-3252; FTS 835-3252.

SUPPLEMENTARY INFORMATION: On November 4, 1987 (52 FR 42325), EPA published a Notice of Proposed Rulemaking (NPR) for the State of Connecticut. The NPR proposed approval of State Order No. 8012 as a revision to the Connecticut SIP. The final State Order was submitted by Connecticut as a formal SIP revision on February 5, 1988. The provisions of the Connecticut Department of Environmental Protection's (DEP's) State Order define and impose RACT on American Cyanamid Company as required by subsection 22a-174-20(ee), "Reasonably Available Control Technology for Large Sources," of

Connecticut's Regulations for the Abatement of Air Pollution.

Under subsection 22a-174-20(ee), the Connecticut DEP determines and imposes RACT on all stationary sources with the potential to emit one hundred tons per year or more of VOC that are not already subject to RACT under Connecticut's regulations developed pursuant to the control techniques guidelines (CTG) documents. EPA approved this regulation on March 21, 1984 (49 FR 10542) as part of Connecticut's 1982 Ozone Attainment Plan. That approval was granted with the agreement that all source-specific RACT determinations made by the DEP would be submitted to EPA as source-specific SIP revisions.

EPA has reviewed State Order No. 8012 and has determined that the level of control required by this Order represents RACT for American Cyanamid. American Cyanamid produces polymers at its Wallingford Plant. American Cyanamid has three distinct areas which are subject to the requirements of subsection 22a-174-20(ee) of Connecticut's regulations. The three areas are the Thermoplastics Department (Buildings #10S and #10A), the Thermosetting Department (Building #1), and the Resins Department (Buildings #5 and #6). As RACT, the State Order requires American Cyanamid to install air pollution control equipment on any VOC emission sources at its Wallingford facility with maximum potential VOC emissions in excess of forty pounds per day or five thousand pounds per year. Each piece of air pollution control equipment is required to demonstrate a minimum overall VOC reduction of eighty-five percent. Additionally, the State Order requires American Cyanamid to upgrade any of its existing air pollution control equipment that is not achieving a minimum overall VOC reduction of eighty-five percent. All such existing pollution control equipment must be upgraded to also achieve a minimum overall VOC reduction of eighty-five percent.

The State Order exempts any source at American Cyanamid's Wallingford facility which emits less than forty pounds of VOC per day and five thousand pounds of VOC per year from these RACT requirements. This exemption is consistent with the provisions of subsection 22a-174-20(aa) of Connecticut's regulations which was approved by EPA on October 14, 1984 (49 FR 41026). For purposes of determining which of the facility's sources are exempt from meeting RACT, American Cyanamid must aggregate

similar or identical VOC emission points. For each source that is exempt from meeting RACT, the DEP has imposed an enforceable daily cap in pounds VOC per day. That daily cap is forty pounds VOC per day for sources whose potential emissions are greater than 40 pounds per day but actual emissions are less than 40 pounds per day. For sources with both potential and actual VOC emissions of less than 40 pounds per day, the daily cap has been set at a level of the source's current potential VOC emissions.

State Order No. 8012 also requires American Cyanamid to implement a fugitive leak detection program on all of its processes. This program will reduce VOC leaks from valves, pumps, compressors and safety relief valves at American Cyanamid.

American Cyanamid is required to comply with all of the requirements of the State Order by December 31, 1987, which is the final compliance date of subsection 22a-174-20(ee) of Connecticut's regulations. Other specific requirements of the State Order and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

Final Action

EPA is approving Connecticut State Order No. 8012 as a revision to the Connecticut SIP. The provisions of State Order No. 8012 define and impose RACT on American Cyanamid Company to control VOC emissions as required by subsection 22a-174-20(ee) of Connecticut's regulations.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 30, 1988. This action may not be challenged later in proceedings to enforce requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Connecticut was approved by the Director of the Federal Register on July 25, 1982.

Dated: July 25, 1988.

Lee M. Thomas,
Administrator.

Subpart H, Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

Subpart H—Connecticut

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.370 is amended by adding paragraph (c)(43) to read as follows:

§ 52.370 Identification of plan.

* * * * *

(c) * * *

(43) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on February 5, 1988.

(i) *Incorporation by reference.* (A) Letter from the Connecticut Department of Environmental Protection dated February 5, 1988 submitting a revision to the Connecticut State Implementation Plan.

(B) State Order No. 8012 and attached Compliance Timetable, Appendix A (allowable limits on small, uncontrolled vents), and Appendix B (fugitive leak detection program) for American Cyanamid Company in Wallingford, Connecticut. State Order No. 8012 was effective on January 6, 1988.

(ii) *Additional materials.* (A) Technical Support Document prepared by the Connecticut Department of Environmental Protection providing a complete description of the reasonably available control technology determination imposed on the facility.

[FR Doc. 88-17113 Filed 7-29-88; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 505, 514 and 525

[Acquisition Circular AC-88-2]

Changes to the Government Procurement Code

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Temporary rule.

SUMMARY: This Acquisition Circular temporarily amends Parts 505, 514 and 525 of the General Services Administration Acquisition Regulation

(GSAR), Chapter 5, to implement Item II of Federal Acquisition Circular 84-38, published in the *Federal Register* on July 20, 1988. Item II of the FAC revised the Federal Acquisition Regulation (FAR) to implement amendments to the Agreement on Government Procurement that were negotiated by the United States Trade Representative. The intended effect is to implement Item II of FAC 84-38 and to provide guidance to GSA contracting activities pending a permanent revision to the regulation.

DATES: *Effective Date:* August 1, 1988.

Expiration Date: August 1, 1989.

FOR FURTHER INFORMATION CONTACT:

Mr. Paul Linfield, Office of GSA Acquisition Policy and Regulations (VP), (202) 523-4770.

SUPPLEMENTARY INFORMATION: This rule was not published in the *Federal Register* for public comment because it merely implements a higher level issuance by deleting material that conflicts with material in the FAR. The Director, Office of Management and Budget (OMB), by memorandum dated December 14, 1984, exempted certain agency procurement regulations from Executive Order 12291. The exemption applies to this rule. The General Services Administration (GSA) certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The rule simply deletes material which conflicts with the FAR, as amended by Item II of FAC 84-38 regarding amendments to the Agreement on Government Procurement. Accordingly, no regulatory flexibility analysis has been prepared. The rule does not contain information collection requirements that require the approval of OMB under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

List of Subjects in 48 CFR Parts 505, 514 and 525

Government procurement.

1. The authority citation for 48 CFR Parts 505, 514 and 525 continues to read as follows:

Authority: 40 U.S.C. 486(c).

2. 48 CFR Parts 505, 514 and 525 are amended by the following Acquisition Circular.

General Services Administration Acquisition Regulation Acquisition Circular (AC-88-2)
July 22, 1988.

To: All GSA contracting activities.

Subject: Changes to the Government Procurement Code.

1. *Purpose.* This Acquisition Circular temporarily amends the General Services