

TABLE 1—EPA APPROVED NORTH CAROLINA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Comments
Subchapter 2D				
Air Pollution Control Requirements 2D				
*	*	*	*	*
Section .1400				
Nitrogen Oxides Emissions				
Sect. .1401	Definitions	7/15/02	[Insert FR citation].	
Sect. .1402	Applicability	7/15/02	[Insert FR citation].	
Sect. .1403	Compliance Schedules	7/15/02	[Insert FR citation].	
Sect. .1404	Recordkeeping, Reporting, Monitoring.	7/15/02	[Insert FR citation].	
Sect. .1409	Stationary Internal Combustion Engines.	7/15/02	[Insert FR citation].	
Sect. .1416	Emission Allocations for Utility Companies.	7/15/02	[Insert FR citation].	
Sect. .1417	Emission Allocations for large Combustion Sources.	7/15/02	[Insert FR citation].	
Sect. .1418	New Electric Generating Units, Large Boilers, and Large I/C Engines.	7/15/02	[Insert FR citation].	
Sect. .1419	Nitrogen Oxide Budget Trading Program.	7/15/02	[Insert FR citation].	
Sect. .1420	Periodic Review and Re- allocations.	7/15/02	[Insert FR citation].	
Sect. .1421	Allocation for New Growth of Major Point Sources.	7/15/02	[Insert FR citation].	
Sect. .1422	Compliance Supplement Pool and Early Emission Reduction Credits.	7/15/02	[Insert FR citation].	
Sect. .1423	Large Internal Combustion Engines.	7/15/02	[Insert FR citation].	

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[FR Doc. 02-32562 Filed 12-26-02; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES****Health Resources and Services
Administration****45 CFR Part 4****Service of Process: Amendment for
Materials Related to Petitions Under
the National Vaccine Injury
Compensation Program****AGENCY:** Health Resources and Services
Administration, HHS.**ACTION:** Final rule.

SUMMARY: Current regulations regarding service of legal process provide that all service of process relating to petitions for compensation under the National Vaccine Injury Compensation Program (VICP) are to be sent to the Director, Bureau of Health Professions (BHP), Health Resources and Services Administration (HRSA). Because the

Acting Administrator, HRSA has recently reestablished the Division of Vaccine Injury Compensation (DVIC) within the Office of Special Programs (OSP), this final rule amends the regulations regarding service of process to provide that all petitions for compensation under the VICP are to be sent to the Director, Division of Vaccine Injury Compensation, Office of Special Programs, Health Resources and Services Administration. This amendment is purely technical.

DATES: This regulation is effective on January 27, 2003.

FOR FURTHER INFORMATION CONTACT: Thomas E. Balbier, Jr., Director, DVIC, OSP, HRSA, 4350 East West Highway, 10th Floor, Bethesda, Maryland 20814; telephone number: (301) 443-6593. For information about how to file petitions for compensation, contact the Clerk, United States Court of Federal Claims, 717 Madison Place, N.W., Washington, D.C. 20005, telephone number: (202) 219-9657.

SUPPLEMENTARY INFORMATION: 45 CFR 4.6 provides that service of the Secretary's copies of petitions for

compensation under the VICP and of related filings are to be served upon the Director, BHP, which until October 15, 2001, included DVIC. DVIC administers all of the statutory authorities of the Secretary related to the operation of the VICP. On October 15, 2001, the Acting Administrator, HRSA, published in the **Federal Register** a "Statement of Organization, Functions, and Delegations of Authority (66 FR 52421)," which set forth organizational changes within BHP and other organizations within HRSA. Included among those changes was the reorganization of DVIC from BHP into OSP, HRSA.

Because DVIC has been reorganized from BHP to OSP within HRSA, the Secretary is amending the regulations governing service of process of materials relating to petitions under the VICP to reflect the appropriate addressee for proper service of such materials.

**Justification for Omitting Notice of
Proposed Rulemaking**

This amendment to 45 CFR 4.6 is a technical amendment to reflect a reorganization of HRSA. Since this is a

technical amendment, related solely to internal Departmental management, the Secretary has determined, under 5 U.S.C. 553 and departmental policy, that it is unnecessary to follow proposed rulemaking procedures.

Economic and Regulatory Impact

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when rulemaking is necessary, to select regulatory approaches that provide the greatest net benefits (including potential economic, environmental, public health, safety distributive and equity effects). In addition, under the Regulatory Flexibility Act (RFA), if a rule has a significant economic effect on a substantial number of small entities the Secretary must specifically consider the economic effect of a rule on small entities and analyze regulatory options that could lessen the impact of the rule.

Executive Order 12866 requires that all regulations reflect consideration of alternatives, of costs, of benefits, of incentives, of equity, and of available information. Regulations must meet certain standards, such as avoiding an unnecessary burden. Regulations which are "significant" because of cost, adverse effects on the economy, inconsistency with other agency actions, effects on the budget, or novel legal or policy issues, require special analysis.

The Secretary has determined that no resources are required to implement the requirements in this rule. Therefore, in accordance with the RFA of 1980, and the Small Business Regulatory Enforcement Fairness Act of 1996, which amended the RFA, the Secretary certifies that this rule will not have a significant impact on a substantial number of small entities. The Secretary has also determined that this final rule does not meet the criteria for a major rule as defined by Executive Order 12866 and would have no major effect on the economy or Federal expenditures.

The Secretary has further determined that the rule is not a "major rule" within the meaning of the statute providing for Congressional review of agency rulemaking, 5 U.S.C. 801. Major rules are those that impose a cost on the economy of \$100 million or more a year or have certain other economic impacts. Similarly, it will not have effects on State, local, and tribal governments and on the private sector such as to require consultation under the Unfunded Mandates Reform Act of 1995.

Paperwork Reduction Act of 1995

This regulation is not subject to the Paperwork Reduction Act because it

deals solely with internal management of the Department of Health and Human Services.

List of Subjects in 45 CFR Part 4

Courts, vaccine injury petitions.

Dated: November 29, 2002.

Elizabeth M. Duke,

Administrator, Health Resources and Services Administration.

Approved: December 16, 2002.

Tommy G. Thompson,

Secretary.

Accordingly, 45 CFR part 4 is amended as set forth below:

PART 4—SERVICE OF PROCESS

1. The authority citation for 45 CFR part 4 continues to read as follows:

Authority: 5 U.S.C. 301, 42 U.S.C. 300aa-11.

2. Section 4.6 is revised to read as follows:

§ 4.6 Materials related to petitions under the National Vaccine Injury Compensation Program.

Notwithstanding the provisions of §§ 4.1, 4.2, and 4.3, service of the Secretary's copies of petitions for compensation under the VICP and of related filings, by mail, shall be served upon the Director, Division of Vaccine Injury Compensation, Office of Special Programs, Health Resources and Services Administration 5600 Fishers Lane, Parklawn Building, Room 16C-17, Rockville, Maryland 20857, or in person, shall be served upon the Director, Division of Vaccine Injury Compensation, Office of Special Programs, Health Resources and Services Administration, 4350 East West Highway, 10th Floor, Bethesda, Maryland 20814.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 021219321-2321-01; I.D. 120902A]

RIN 0648-AQ39

Atlantic Highly Migratory Species; Commercial Shark Management Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Emergency rule; request for comments; fishing season notification.

SUMMARY: NMFS issues an emergency rule to: establish the commercial annual quotas for ridgeback and non-ridgeback large coastal sharks (LCS) at 783 metric tons (mt) dressed weight (dw) and 931 mt dw, respectively; establish the commercial annual quota for small coastal sharks (SCS) at 326 mt dw; and suspend the regulation regarding the commercial ridgeback LCS minimum size. These regulations are necessary to ensure that the regulations in force are based on the best available science. In addition, as of January 1, 2003, regulations on season-specific quota adjustments and counting dead discards and state landings after a Federal closure against the commercial quotas will go into effect. At least one public hearing on this emergency rule will be held during the public comment period and will be announced in a separate **Federal Register** document. NMFS also notifies eligible participants of the opening and closing dates for the Atlantic LCS, SCS, pelagic shark, blue shark, and porbeagle shark fishing seasons.

DATES: This emergency rule is effective as of 12:01 a.m., local time, on December 31, 2002, through June 30, 2003.

The fishery opening for ridgeback LCS is effective January 1, 2003, through 11:30 p.m., local time, April 15, 2003. The ridgeback LCS closure is effective from 11:30 p.m., local time, April 15, 2003, through June 30, 2003.

The fishery opening for non-ridgeback LCS is effective January 1, 2003, through 11:30 p.m., local time, May 15, 2003. The non-ridgeback LCS closure is effective from 11:30 p.m., local time, May 15, 2003, through June 30, 2003.

The fishery opening for SCS, pelagic sharks, blue sharks, and porbeagle sharks is effective January 1, 2003, through June 30, 2003, unless otherwise modified or superseded through publication of a closure notice in the **Federal Register**.

Comments on the emergency rule must be received no later than 5 p.m. on February 14, 2003.

ADDRESSES: Written comments on this emergency rule must be mailed to Christopher Rogers, Chief, NMFS Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910; or faxed to 301-713-1917. Comments will not be accepted if submitted via email or the Internet. Copies of the Environmental Assessment and Regulatory Impact Review prepared for this emergency rule