

and Information System" to the table in numerical order.

The additions to § 1.36 read as follows:

**§ 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 552a and this part.**

*	*	*	*	*
(c)	*	*	*	
(1)	*	*	*	
(iii)	*	*	*	
Number	System name			
CC .110 .....	Reports of Suspicious Activities.			
CC. 120 .....	Bank Fraud Information System.			
CC .510 .....	Litigation Information System.			

*	*	*	*	*
(g)	*	*	*	
(1)	*	*	*	
(iii)	*	*	*	

Number	System name			
*	*	*	*	*
CC. 100 .....	Enforcement Action Report System.			
CC. 110 .....	Reports of Suspicious Activities.			
CC .120 .....	Bank Fraud Information System.			
CC .220 .....	Section 914 Tracking System.			
CC .510 .....	Litigation Information System.			
CC .600 .....	Consumer Complaint and Inquiry Information System.			

Dated: April 22, 2002.

**W. Earl Wright, Jr.,**  
Chief Management and Administrative Programs Officer.

[FR Doc. 02-11886 Filed 5-13-02; 8:45 am]

BILLING CODE 4810-33-P

## DEPARTMENT OF DEFENSE

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 21

RIN 2900-AL02

### Increased Allowances for the Educational Assistance Test Program

**AGENCIES:** Department of Defense and Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** The law provides that rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program shall be adjusted annually by the Secretary of Defense based upon the average actual cost of attendance at public institutions of higher education in the twelve-month period since the rates were last adjusted. After consultation with the Department of Education, the Department of Defense has concluded that the rates for the 2001-02 academic year should be increased by 4.7% over the rates payable for the 2000-01 academic year. The regulations dealing with these rates are amended accordingly.

**DATES:** Effective Date: May 14, 2002.

**Applicability Date:** The changes in rates are applied retroactively to October 1, 2001, to conform to statutory requirements.

**FOR FURTHER INFORMATION CONTACT:**

William G. Susling, Jr., Assistant Director for Policy and Program Development, Education Service (225), Veterans Benefits Administration, 202-273-7187.

**SUPPLEMENTARY INFORMATION:** The law (10 U.S.C. 2145) provides that the Secretary of Defense shall adjust the amount of educational assistance which may be provided in any academic year under the Educational Assistance Test Program, and the amount of subsistence allowance authorized under that program. The adjustment is to be based upon the twelve-month increase in the average actual cost of attendance at public institutions of higher education. As required by law, the Department of Defense has consulted with the Department of Education. The Department of Defense has concluded that these costs increased by 4.7% in the 2000-01 academic year. Accordingly, this final rule changes 38 CFR 21.5820 and 21.5822 to reflect a 4.7% increase in the rates payable in the 2001-02 academic year, including changes in § 21.5820 to remove unnecessary provisions that were previously needed to compensate for rounding. Other nonsubstantive changes are made for the purpose of clarification.

### Administrative Procedure Act

Pursuant to 5 U.S.C. 553 there is good cause for finding that notice and public procedure are impractical, unnecessary, and contrary to the public interest and there is good cause for dispensing with a 30-day delay of the effective date. The rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program are determined based on a

statutory formula and, in essence, the calculation of rates merely constitutes a non-discretionary ministerial act. The other changes made by this document are merely nonsubstantive changes for the purpose of clarification.

### Paperwork Reduction Act

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

### Regulatory Flexibility Act

The Secretary of Veterans Affairs and the Secretary of Defense hereby certify 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, 5 U.S.C 601-612. This final rule directly affects only individuals. Pursuant to 5 U.S.C. 605(b), this final rule, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

### Unfunded Mandates

The Unfunded Mandates Reform Act requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before developing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any given year. This rule would have no consequential effect on State, local, or tribal governments.

### Catalog of Federal Domestic Assistance Number

There is no Catalog of Federal Domestic Assistance number for the program affected by the regulations.

### List of Subjects in 38 CFR Part 21

Administrative practice and procedure, Armed forces, Civil rights, Claims, Colleges and universities, Conflict of interests, Defense Department, Education, Employment, Grant programs-education, Grant programs-veterans, Health programs, Loan programs-education, Loan programs-veterans, Manpower training programs, Reporting and recordkeeping requirements, Schools, Travel and transportation expenses, Veterans, Vocational education, Vocational rehabilitation.

Approved: February 21, 2002.

**Anthony J. Principi,**

*Secretary of Veterans Affairs.*

Approved: May 2, 2002.

**John A. Van Alstyne,**

*Lieutenant General, USA, Deputy Assistant Secretary, (Military Personnel Policy) Department of Defense.*

For the reasons set out above, 38 CFR part 21 (subpart H) is amended as set forth below.

## PART 21—VOCATIONAL REHABILITATION AND EDUCATION

### Subpart H—Educational Assistance Test Program

1. The authority citation for part 21, subpart H, continues to read as follows:

**Authority:** 10 U.S.C. ch. 107; 38 U.S.C. 501(a), 3695, 5101, 5113, 5303A; 42 U.S.C. 2000; sec. 901, Pub. L. 96-342, 94 Stat. 1111-1114, unless otherwise noted.

2. Section 21.5820 is amended by:

a. In paragraph (b)(1), removing “2000-01” and adding, in its place, “2001-02”; and by removing “\$3,524” and adding, in its place, “\$3,690”;

b. In paragraph (b)(2)(ii), removing “2000-01” and adding, in its place, “2001-02”;

c. In paragraph (b)(2)(ii)(A), removing “\$391.56” and adding, in its place, “\$410.00”; and by removing “\$195.78” and adding, in its place, “\$205.00”;

d. In paragraph (b)(2)(ii)(B), removing “\$13.05” and adding, in its place, “\$13.67”, and by removing “\$6.53” and adding, in its place “\$6.83”;

e. In paragraph (b)(3)(ii) introductory text, removing “2000-01” and adding, in its place, “2001-02”;

f. In paragraph (b)(3)(ii)(A), removing “\$391.56” and adding, in its place, “\$410.00”; and by removing “\$195.78” and adding, in its place, “\$205.00”;

g. In paragraph (b)(3)(ii)(B), removing “\$13.05” and adding, in its place, “\$13.67”, and by removing “\$6.53”, and adding, in its place, “\$6.83”; and

h. Revising paragraphs (b)(2)(ii)(C) and (b)(3)(ii)(C).

The revisions read as follows:

#### § 21.5820 Educational assistance.

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) \* \* \*

(C) Adding the two results.

\* \* \* \* \*

(3) \* \* \*

(ii) \* \* \*

(C) Adding the two results; and

\* \* \* \* \*

#### § 21.5822 [Amended]

3. Section 21.5822 is amended by:

a. In paragraph (b)(1)(i), removing “\$878” and adding, in its place, “\$919”; and by removing “2000-01” and adding, in its place, “2001-02”;

b. In paragraph (b)(1)(ii), removing “\$439” and adding, in its place, “\$459.50”; and by removing “2000-01” and adding, in its place, “2001-02”;

c. In paragraph (b)(2)(i), removing “2000-01” and adding, in its place, “2001-02”; and by removing “\$878” and adding, in its place, “\$919”; and

d. In paragraph (b)(2)(ii), removing “2000-01” and adding, in its place, “2001-02”; and by removing “\$439” and adding, in its place, “\$459.50”.

[FR Doc. 02-11989 Filed 5-13-02; 8:45 am]

BILLING CODE 8320-01-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA 260-0339a; FRL-7174-5]

### Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Tehama County Air Pollution Control District (TCAPCD) portion of the California State Implementation Plan (SIP). These revisions concern Oxides of Nitrogen (NO<sub>x</sub>) emissions from industrial, institutional, and commercial boilers, steam generators, process heaters, and stationary gas turbines. We are approving local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** This rule is effective on July 15, 2002, without further notice, unless EPA receives adverse comments by June

13, 2002. If we receive adverse comments, 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 Andy Steckel, Rulemaking Office Chief (AIR-4), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

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

Environmental Protection Agency, Air Docket (6102), Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington DC 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 1001 “I” Street, Sacramento, CA 95814.

Tehama County Air pollution Control District, P.O. Box 38 (1750 Walnut St.), Red Bluff, CA 96008-0038.

**FOR FURTHER INFORMATION CONTACT:** Charnjit Bhullar, Rulemaking Office (AIR-4), U.S. Environmental Protection Agency, Region IX, (415) 972-3960.

#### SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us” and “our” refer to EPA.

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#### I. The State's Submittal

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

Table 1 lists the rules we are approving with the dates that they were adopted by the local air agency and submitted by the California Air Resources Board (CARB).

TABLE 1.—SUBMITTED RULES

Local agency	Rule #	Rule Title	Adopted	Submitted
TCAPCD .....	4:31	Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.	01/29/02	02/08/02