

of the area or causing physical damage to it;

(b) Introduce incompatible uses that may compromise the nature and characteristics of the area, or cause physical damage to it;

(c) Conflict with adjacent ownerships or land uses; or

(d) Cause a nuisance to adjacent owners or occupants.

Based on this determination, this proposed rulemaking is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental guidelines in 516 DM 6 (49 FR 21438). As such, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) has been prepared.

List of Subjects in 36 CFR Part 17

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, it is proposed to amend 36 CFR Chapter I as follows:

#### **PART 17—CONVEYANCE OF FREEHOLD AND LEASEHOLD INTERESTS ON LANDS OF THE NATIONAL PARK SYSTEM**

1. The authority citation for Part 17 continues to read as follows:

Authority: Sec 5(a) of the Act of July 15, 1968, 82 Stat. 354, 16 U.S.C. 4601-22(a).

2. Section 17.5 is amended by revising the sixth sentence to read as follows:

##### **§ 17.5 Bids.**

\* \* \* Bids must be accompanied by certified checks, post office money orders, bank drafts, or cashier's checks made payable to the United States of America for 2 percent of the amount of the fair market value or \$2,500, whichever is greater, in the case of a freehold interest or for the amount of the first year's rent in the case of a leasehold interest. \* \* \*

3. Section 17.6 is amended by adding two sentences to the end of the section, to read as follows:

##### **§ 17.6 Action at close of bidding.**

\* \* \* In the case of a freehold interest the high bidder must submit the balance of the bid within 45 days of the bid award in the form of a certified check, post office money order, bank draft, or cashier's check made payable to the United States of America. Failure to submit the full balance within 45 days shall result in the forfeiture of \$1,000 of the bid deposit, unless the bidder has been released from said bid or an extension has been granted by the authorized officer, and the property will

be awarded to the next highest bidder upon fulfillment of the requirements of this section.

Dated: December 21, 1995.

George T. Frampton, Jr.,

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 96-3007 Filed 2-9-96; 8:45 am]

BILLING CODE 4310-70-P

## **DEPARTMENT OF VETERANS AFFAIRS**

### **38 CFR Part 21**

**RIN 2900-AH39**

#### **Veterans Education: Course Measurement for Graduate Courses**

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the "ADMINISTRATION OF EDUCATIONAL BENEFITS" regulations to provide that all undergraduate courses taken by graduate students are to be measured by the graduate school (full time, half time, quarter time, etc.) or by the formula used for measuring undergraduate courses for undergraduate students, whichever results in a higher monthly rate for the veteran. Students receive benefits based on the assessment of their training time (full time, half time, quarter time, etc.). It appears that graduate schools, often with unique programs, have the most expertise for assessing the training status for their own programs. Also, it appears that they realistically report the training status of graduate students. Even so, we do not believe that graduate students should be paid a lower monthly rate than undergraduate students for the same training. Hence, it appears that the adoption of this change would streamline the process while yielding equitable results.

**DATES:** Comments must be received on or before April 12, 1996.

**ADDRESSES:** Send written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, or hand deliver written comments to: Office of Regulations Management, Room 1176, 801 Eye Street, NW., Washington DC 20001. Comments should indicate that they are submitted in response to "RIN 2900-AH39." All written comments received will be available for public inspection only in the Office of Regulations Management between the hours of 8 a.m. to 4:30 p.m., Monday through Friday (except holidays).

**FOR FURTHER INFORMATION CONTACT:** June C. Schaeffer, Assistant Director for Policy and Program Administration, Education Service, Veterans Benefits Administration, (202) 273-7187.

**SUPPLEMENTARY INFORMATION:** Under the "ADMINISTRATION OF EDUCATIONAL BENEFITS" regulations (set forth at 38 CFR subpart D and referred to below as the regulations) students receive benefits based on the assessment of their training time (full time, half time, quarter time, etc.). This document proposes to amend the regulations by changing the method of measuring training time for undergraduate courses that are taken by graduate students.

VA regulations specify, with certain exceptions, that undergraduate students pursuing undergraduate courses of 14 hours for standard terms are to be designated as full-time students. VA regulations contain corresponding provisions for less than full time (half time, quarter time, etc.). These measurement provisions for undergraduate students are mandated by statutory requirements (38 U.S.C. 3688). The current regulations measure the enrollment of graduate students in undergraduate courses in the same manner as for undergraduate students. However, the current regulations measure the enrollment of graduate students in graduate courses according to the school's assessment of part-time or full-time training status rather than using a formula.

Accordingly, if a graduate student enrolled for a combination of seven undergraduate credit hours (which is half time under the statutory 14 credit-hour full-time system), and a number of graduate hours assessed as half time by his or her school, then the graduate student would be considered a full-time student for VA education purposes.

The provisions of 38 U.S.C. 3688 state that VA has discretion in determining how to measure graduate courses. Consistent with this authority, this document proposes to amend the regulations to provide for all undergraduate courses of graduate students to be measured by the graduate schools' assessment (full time, half, quarter time, etc.) or by the formula used for measuring undergraduate courses for undergraduate students, whichever results in a higher monthly rate for the veteran.

Based on Department expertise, it appears that graduate schools, often with unique programs, have the most expertise for assessing the training status for their own programs. Also, it appears that they realistically report the

training status of graduate students. Even so, we do not believe that graduate students should be paid a lower monthly rate than undergraduate students for the same training. Hence, it appears that the adoption of the proposal would streamline the process while yielding equitable results.

Also, the proposal contains a nonsubstantive change to 38 C.F.R. 21.4273(a)(2) for purposes of clarity.

The Secretary of Veterans Affairs certifies 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, 5 U.S.C. 601-612. This amendment will affect only individuals and will not directly affect any small entities. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility requirements of sections 603 and 604.

The Catalog of Federal Domestic Assistance numbers for the programs affected by this proposal are 64.117, 64.120, and 64.124.

#### 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 care, 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 1, 1996.

Jesse Brown,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 21, subpart D is proposed to be amended as set forth below.

### PART 21—VOCATIONAL REHABILITATION AND EDUCATION

#### Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35 and 36

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

Authority: 38 U.S.C. 501(a).

2. In §21.4273, paragraph (a)(2) is amended by removing “assessed” and adding, in its place, “measured”; and paragraph (c) is revised and its authority citation is added to read as follows:

#### §21.4273 Collegiate graduate.

\* \* \* \* \*

(c) *Undergraduate or combination.* If a graduate student is enrolled in both graduate and undergraduate courses concurrently, or solely in undergraduate courses, VA will measure such an enrollment using the provisions of §21.4272 or the graduate school's assessment of training time, whichever will result in a higher monthly rate for the veteran.

(Authority: 38 U.S.C. 3668(b))

[FR Doc. 96-2950 Filed 2-9-96; 8:45 am]

BILLING CODE 8320-01-P

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[AL-041-1-9604b; FR-5345-6]

#### Approval and Promulgation of Implementation Plans Alabama: Revisions to the Alabama Department of Environmental Management Administrative Code for the Air Pollution Control Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** The EPA proposes to approve the State implementation plan (SIP) revision submitted by the State of Alabama through the Department of Environmental Management on August 14, 1995, the State of Alabama through the Department of Environmental Management (ADEM) submitted a State Implementation Plan (SIP) submittal to revise the ADEM Administrative Code for the Air Pollution Control Program. These revisions involve changes to Chapter 335-3-14—Air Permits, and were made to comply with the requirements of the Clean Air Act (CAA). In the final rules section of this Federal Register, the EPA is approving the State of Alabama's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment

period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by March 13, 1996.

**ADDRESSES:** Written comments on this action should be addressed to Kimberly Bingham, at the EPA Regional Office listed below. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460

Environmental Protection Agency, Region IV, Air Programs Branch, 345 Courtland Street NE, Atlanta, GA 30365

Alabama Department of Environmental Management, 1751 Congressman W. L. Dickinson Drive, Montgomery, Alabama 36109.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Bingham of the EPA Region IV Air Programs Branch at (404) 347-3555 extension 4195 and at the above address.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: December 4, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 96-2965 Filed 2-9-96; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[CA 33-3-7130b; FRL-5339-8]

#### Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Santa Barbara County, Ventura County, Monterey Bay Unified, and Placer County Air Pollution Control District; and Yolo Solano Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from the following: the coating or assembly of