

7 a.m., March 15, 2003, the drawspan requires 6 hours advance notice for bridge operation. Bridge opening requests must be made 6 hours in advance by calling Mr. Craig D. Krause, Burlington Northern Santa Fe Railway Company, Supervisor of Structures, at (402) 458-7652 during normal working hours, or Mr. Joe Hicks at (319) 394-9431.

Dated: December 13, 2002.

**Roy J. Casto,**

*Rear Admiral, Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 02-32723 Filed 12-26-02; 8:45 am]

BILLING CODE 4910-15-P

## DEPARTMENT OF EDUCATION

### 34 CFR Parts 700, 701, and 702

#### Removal of Regulations

**AGENCY:** Institute of Education Sciences, Department of Education.

**ACTION:** Final regulations.

**SUMMARY:** The Secretary amends the Code of Federal Regulations to remove obsolete regulations. As a result of enactment of the Education Sciences Reform Act of 2002, these regulations are no longer needed. The Secretary therefore takes this action to remove the regulations.

**DATES:** Parts 700, 701, and 702 are removed effective December 27, 2002.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Payer, U.S. Department of Education, 555 New Jersey Avenue, NW., room 502e, Washington, DC 20208. Telephone: (202) 219-1310.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** As a result of enactment of the Education Sciences Reform Act of 2002, Title I of Public Law 107-279, enacted November 5, 2002, the regulations at 34 CFR parts 700, 701, and 702 are removed because they are no longer necessary. The removal of these regulations does not alter the obligations of current recipients of Federal funds. The regulations in effect when a grant or other agreement is made govern that grant or agreement, unless otherwise specifically provided.

The regulations removed are:

(1) Standards for the Conduct and Evaluation of Activities Carried Out by the Office of Educational Research and Improvement (OERI)—Evaluation of Applications for Grants and Cooperative Agreements and Proposals for Contracts (34 CFR part 700);

(2) Standards for Conduct and Evaluation of Activities Carried Out by the Office of Educational Research and Improvement (OERI)—Designation of Exemplary and Promising Programs (34 CFR part 701); and

(3) Standards for the Conduct and Evaluation of Activities Carried Out by the Office of Educational Research and Improvement (OERI)—Evaluation of the Performance of Recipients of Grants, Cooperative Agreements, and Contracts (34 CFR part 702).

#### Waiver of Proposed Rulemaking

In accordance with the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, this document merely removes obsolete regulations from the Code of Federal Regulations. Removal of the regulations does not establish or affect substantive policy. Therefore, the Secretary has determined pursuant to 5 U.S.C. 553(b)(B), that public comment is unnecessary and contrary to the public interest.

#### Paperwork Reduction Act of 1995

These regulations do not contain any information collection requirements.

#### Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/legislation/FedRegister>

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

**Note:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.access.gpo.gov/nara/index.html>

(Catalog of Federal Domestic Assistance number does not apply.)

#### List of Subjects

##### 34 CFR Part 700

Education, Educational research, Elementary and secondary education, Government contracts, Grant programs—education, Libraries, Reporting and recordkeeping requirements.

##### 34 CFR Part 701

Education, Educational research, Reporting and recordkeeping requirements.

##### 34 CFR Part 702

Education, Educational research, Reporting and recordkeeping requirements.

Dated: December 23, 2002.

**Grover J. Whitehurst,**

*Director, Institute of Education Sciences.*

## PARTS 700, 701, AND 702— [REMOVED]

For the reasons stated in the preamble, under the authority at 20 U.S.C. 1221e-3 and 20 U.S.C. 9501 *et seq.*, the Secretary amends Title 34 of the Code of Federal Regulations by removing parts 700, 701, and 702.

[FR Doc. 02-32716 Filed 12-26-02; 8:45 am]

BILLING CODE 4000-01-P

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

#### RIN 2900-AK98

#### Extension of the Presumptive Period for Compensation for Gulf War Veterans' Undiagnosed Illnesses

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

**SUMMARY:** This document affirms an amendment to the Department of Veterans Affairs (VA) adjudication regulations regarding compensation for disabilities resulting from undiagnosed illnesses suffered by Persian Gulf War veterans. The amendment extends the period within which such disabilities must become manifest to a compensable degree in order for entitlement for compensation to be established. The amendment ensures that veterans with compensable disabilities due to undiagnosed illnesses that may be related to active service in the Southwest Asia theater of operations during the Persian Gulf War may qualify for benefits.

**DATES:** *Effective Date:* December 27, 2002.

**FOR FURTHER INFORMATION CONTACT:** John Bisset, Jr., Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7213.

**SUPPLEMENTARY INFORMATION:**

Regulations to establish the framework necessary for the Secretary to pay compensation under the authority granted by the "Persian Gulf War Veterans" Benefits Act of 1994," title I of Public Law 103-446, are set forth in 38 CFR 3.117. Under these regulations, VA may pay compensation for disability resulting from an undiagnosed illness becoming manifest to a compensable degree in a Persian Gulf War veteran within a specified presumptive period. An interim final rule extending the presumptive period through December 31, 2006, was published on November 9, 2001 (66 FR 56614-615).

We provided a 60-day comment period that ended January 8, 2002. We received no comments. Based on the rationale set forth in the interim final rule we now affirm as a final rule the extension of the presumptive period made by the interim final rule.

**Paperwork Reduction Act**

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

**Administrative Procedure Act**

This document affirms without any changes an amendment made by an interim final rule that is already in effect. Accordingly, we have concluded under 5 U.S.C. 553 that there is good cause for dispensing with a delayed effective date based on the conclusion that such procedure is impracticable, unnecessary, and contrary to the public interest.

**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 final rule would have no consequential effect on State, local, or tribal governments, nor will it impose costs on the private sector.

**Regulatory Flexibility Act**

The Secretary hereby certifies that this final rule 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. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), this final rule is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

**Executive Order 12866**

This final rule has been reviewed by OMB under Executive Order 12866.

The Catalog of Federal Domestic Assistance program numbers are 64.109 and 64.110.

**List of Subjects in 38 CFR Part 3**

Administrative practice and procedure, Claims, Health care, Individuals with disabilities, Pensions, Veterans, Vietnam.

Approved: October 24, 2002.

**Anthony J. Principi,**

*Secretary of Veterans Affairs.*

**PART 3—ADJUDICATION**

Accordingly, the interim rule amending 38 CFR part 3 which was published at 66 FR 56614 on November 9, 2001, is adopted as a final rule without change.

[FR Doc. 02-32625 Filed 12-26-02; 8:45 am]

**BILLING CODE 8320-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[NC 102-200304(a); FRL-7425-2]

**Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to Miscellaneous Regulations Within the North Carolina State Implementation Plan**

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

**ACTION:** Direct final rule.

**SUMMARY:** On August 7, 2002, the North Carolina Department of Environment and Natural Resources submitted revisions to the North Carolina State Implementation Plan (SIP). North Carolina is adopting rule 15A NCAC 2D .0542, Control of Particulate Emissions from Cotton Ginning Operations. In addition, North Carolina is amending rules 15A NCAC 2D .0504, Particulates from Wood Burning Indirect Heat Exchangers, .0927, Bulk Gasoline Terminals, .0932, Gasoline Truck Tanks and Vapor Collection Systems and 15A NCAC 2Q .0102, Activities Exempt From Permitting Requirements and .0104, Where to Obtain and File Permit

Applications. The EPA is approving these revisions.

**DATES:** This direct final rule is effective February 25, 2003 without further notice, unless EPA receives adverse comment by January 27, 2003. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** All comments should be addressed to: Randy Terry at the EPA, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960.

Copies of the State submittal(s) are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. Randy Terry, 404/562-9032.

North Carolina Department of Environment, Health, and Natural Resources, 512 North Salisbury Street, Raleigh, North Carolina 27604.

**FOR FURTHER INFORMATION CONTACT:**

Randy B. Terry, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9032. Mr. Terry can also be reached via electronic mail at [terry.randy@epa.gov](mailto:terry.randy@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On August 7, 2002, the North Carolina Department of Environment and Natural Resources submitted revisions to the North Carolina SIP. These revisions involve the adoption of rule 15A NCAC 2D .0542, Control of Particulate Emissions from Cotton Ginning Operations, the amending of multiple rules within Section 15A NCAC 2D .0900 Volatile Organic Compounds, and several other miscellaneous revisions. An analysis of each of the major revisions submitted is listed below.

**II. Analysis of State's Submittal**

*15A NCAC 2D*

.0504 Particulates From Wood Burning Indirect Heat Exchangers

This rule has been amended to correct the reference to paragraph (d) of this rule to paragraph (f).