

work) that you can do despite your impairment(s). We will decide if you have transferable skills as follows. If you are of advanced age and you have a severe impairment(s) that limits you to no more than *sedentary* work, we will find that you have skills that are transferable to skilled or semiskilled sedentary work only if the sedentary work is so similar to your previous work that you would need to make very little, if any, vocational adjustment in terms of tools, work processes, work settings, or the industry. (See § 404.1567(a) and § 201.00(f) of appendix 2.) If you are of advanced age but have not attained age 60, and you have a severe impairment(s) that limits you to no more than *light* work, we will apply the rules in paragraphs (d)(1) through (d)(3) of this section to decide if you have skills that are transferable to skilled or semiskilled light work (see § 404.1567(b)). If you are *closely approaching retirement age* (age 60–64) and you have a severe impairment(s) that limits you to no more than *light* work, we will find that you have skills that are transferable to skilled or semiskilled light work only if the light work is so similar to your previous work that you would need to make very little, if any, vocational adjustment in terms of tools, work processes, work settings, or the industry. (See § 404.1567(b) and Rule 202.00(f) of appendix 2 to this subpart.)

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart I—[Amended]

4. The authority citation for subpart I of part 416 continues to read as follows:

Authority: Secs. 702(a)(5), 1611, 1614, 1619, 1631(a), (c), and (d)(1), and 1633 of the Social Security Act (42 U.S.C. 902(a)(5), 1382, 1382c, 1382h, 1383(a), (c), and (d)(1), and 1383b); secs. 4(c) and 5, 6(c)–(e), 14(a) and 15, Pub. L. 98–460, 98 Stat. 1794, 1801, 1802, and 1808 (42 U.S.C. 421 note, 423 note, 1382h note).

5. Section 416.963 is amended by:

- A. Revising paragraph (a),
- B. Redesignating paragraphs (b) through (e) as paragraphs (c) through (f),
- C. Adding a new paragraph (b), and
- D. Revising redesignated paragraphs (c), (d) and (e) to read as follows:

§ 416.963 Your age as a vocational factor.

(a) *General.* “Age” means your chronological age. When we decide whether you are disabled under § 416.920(f)(1), we will consider your chronological age in combination with your residual functional capacity, education, and work experience; we

will not consider your ability to adjust to other work on the basis of your age alone. In determining the extent to which age affects a person’s ability to adjust to other work, we consider advancing age to be an increasingly limiting factor in the person’s ability to make such an adjustment, as we explain in paragraphs (c) through (e) of this section. If you are unemployed but you still have the ability to adjust to other work, we will find that you are not disabled. In paragraphs (b) through (e) of this section and in appendix 2 of subpart P of part 404 of this chapter, we explain in more detail how we consider your age as a vocational factor.

(b) *How we apply the age categories.* When we make a finding about your ability to do other work under § 416.920(f)(1), we will use the age categories in paragraphs (c) through (e) of this section. We will use each of the age categories that applies to you during the period for which we must determine if you are disabled. We will not apply the age categories mechanically in a borderline situation. If you are within a few days to a few months of reaching an older age category, and using the older age category would result in a determination or decision that you are disabled, we will consider whether to use the older age category after evaluating the overall impact of all the factors of your case.

(c) *Younger person.* If you are a younger person (under age 50), we generally do not consider that your age will seriously affect your ability to adjust to other work. However, in some circumstances, we consider that persons age 45–49 are more limited in their ability to adjust to other work than persons who have not attained age 45. See Rule 201.17 in appendix 2 of subpart P of part 404 of this chapter.

(d) *Person closely approaching advanced age.* If you are closely approaching advanced age (age 50–54), we will consider that your age along with a severe impairment(s) and limited work experience may seriously affect your ability to adjust to other work.

(e) *Person of advanced age.* We consider that at advanced age (age 55 or older) age significantly affects a person’s ability to adjust to other work. We have special rules for persons of advanced age and for persons in this category who are closely approaching retirement age (age 60–64). See § 416.968(d)(4).

6. Section 416.968 is amended by adding a new paragraph (d)(4) to read as follows:

§ 416.968 Skill requirements.

* * * * *

(d) *Skills that can be used in other work (transferability).* * * *

(4) *Transferability of skills for individuals of advanced age.* If you are of *advanced age* (age 55 or older), and you have a severe impairment(s) that limits you to *sedentary* or *light* work, we will find that you cannot make an adjustment to other work unless you have skills that you can transfer to other skilled or semiskilled work (or you have recently completed education which provides for direct entry into skilled work) that you can do despite your impairment(s). We will decide if you have transferable skills as follows. If you are of advanced age and you have a severe impairment(s) that limits you to no more than *sedentary* work, we will find that you have skills that are transferable to skilled or semiskilled sedentary work only if the sedentary work is so similar to your previous work that you would need to make very little, if any, vocational adjustment in terms of tools, work processes, work settings, or the industry. (See § 416.967(a) and Rule 201.00(f) of appendix 2 of subpart P of part 404 of this chapter.) If you are of advanced age but have not attained age 60, and you have a severe impairment(s) that limits you to no more than *light* work, we will apply the rules in paragraphs (d)(1) through (d)(3) of this section to decide if you have skills that are transferable to skilled or semiskilled light work (see § 416.967(b)). If you are *closely approaching retirement age* (age 60–64) and you have a severe impairment(s) that limits you to no more than *light* work, we will find that you have skills that are transferable to skilled or semiskilled light work only if the light work is so similar to your previous work that you would need to make very little, if any, vocational adjustment in terms of tools, work processes, work settings, or the industry. (See § 416.967(b) and Rule 202.00(f) of appendix 2 of subpart P of part 404 of this chapter.)

[FR Doc. 00–8356 Filed 4–5–00; 8:45 am]

BILLING CODE 4191–02–U

DEPARTMENT OF EDUCATION

34 CFR Part 674

Federal Perkins Loan Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the Federal Perkins Loan Program regulations. The regulations replace all references and forms of the term “Direct Loan” in the Federal Perkins Loan

Program regulations with the acronym "NDSL" in order to eliminate confusion between the National Direct Student Loan (NDSL) Program and the William D. Ford Federal Direct Loan Program.

DATES: These regulations are effective May 8, 2000.

FOR FURTHER INFORMATION CONTACT: Ms. Vanessa Freeman, Program Specialist, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3045, Regional Office Building 3, Washington, DC 20202-5449. Telephone: (202) 708-8242.

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 in the preceding paragraph.

SUPPLEMENTARY INFORMATION:

Regulations amending the Federal Perkins Loan Program were published in proposed form on July 29, 1999. The proposed regulations were published in conformance with Section 492 of the Higher Education Act of 1965, as amended (the HEA), which requires the Secretary to conduct a negotiated rulemaking process to develop proposed regulations. Except in certain circumstances, the HEA also requires the Secretary to publish proposed regulations that conform to consensus agreements reached during the negotiated rulemaking process. In the preamble of the proposed regulations, the Secretary made a commitment to publish a technical corrections package that would replace all references to "Direct Loan(s)" in the Federal Perkins Loan Program and Student Assistance General Provisions regulations with "National Direct Student Loan Program" or the acronym "NDSL." This commitment reflected an agreement by negotiators that such a change would clarify the regulations by eliminating the potential confusion between the National Direct Student Loan Program and the William D. Ford Federal Direct Loan Program. These final regulations replace the references to "Direct Loan(s)" in 34 CFR part 674 only. All references to "Direct Loan(s)" contained in the Student Assistance General Provisions refer correctly to the William D. Ford Federal Direct Loan Program.

Waiver of Negotiated Rulemaking

Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed

regulations. However, these regulations merely reflect technical changes that add clarity to the regulatory provisions. The changes do not establish or affect substantive policy and are made as a result of consensus reached by all affected parties during the negotiated rulemaking procedures required under section 492 of the HEA. Therefore, under 5 U.S.C. 553(b)(B), the Secretary has determined that the use of negotiated rulemaking or proposed regulations is unnecessary and contrary to the public interest.

Regulatory Flexibility Act Certification

The Secretary certifies that these regulations would not have a significant economic impact on a substantial number of small entities.

Because these regulations reflect technical changes that add clarity to the regulatory provisions, the regulations would not have an impact on small entities.

Paperwork Reduction Act of 1995

These regulations do not contain any information collection requirements.

Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, we intend this document to provide early notification of the Department's specific plans and actions for this program.

Assessment of Education Impact

Based on our own review, we have determined that these final regulations do not require transmission of information that any other agency or authority of the United States gathers or makes available.

Electronic Access to This Document

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U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC area at (202) 512-1530.

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(Catalog of Federal Domestic Assistance Number: 84.037 Federal Perkins Loan Program)

List of Subjects in 34 CFR Part 674

Loan programs—education, Student aid, Reporting and recordkeeping requirements.

Dated: March 31, 2000.

Richard W. Riley,

Secretary of Education.

For the reasons discussed in the preamble, the Secretary amends title 34 of the Code of Federal Regulations as follows:

PART 674—FEDERAL PERKINS LOAN PROGRAM

1. The authority for part 674 continues to read as follows:

Authority: 20 U.S.C. 1087aa-1087ii and 20 U.S.C. 421-429, unless otherwise noted.

2. Section 674.1 is amended by revising the reference to "National Direct Student Loan Program" to read "National Direct Student Loan (NDSL) Program" in paragraph (b)(1).

3. Section 674.2 is amended by removing the reference to "Direct loan" from the list of terms in paragraph (a).

4. The following sections in part 674 are amended by removing the word "Direct" and adding, in its place, "NDSL":

- a. § 674.9(g)
- b. § 674.19(e)(4)(iv)
- c. § 674.31(b)(2)(i)(C)
- d. § 674.33(b)(3)
- e. § 674.40(b)
- f. § 674.53 heading
- g. § 674.53(a)(1)(ii)
- h. § 674.53(b)(2)
- i. § 674.53(c)(2)
- j. § 674.56 heading
- k. § 674.56(a)(2)
- l. § 674.56(b)(2)
- m. § 674.56(c)(2)
- n. § 674.57 heading
- o. § 674.57(a)(2)
- p. § 674.58(a)(1)
- q. § 674.61(a)
- r. § 674.61(b)
- s. § 674.61(d)
- t. § 674.63(b)

5. The following sections in part 674 are amended by removing the words "a

Direct” and adding, in their place, “an NDSL”:

- a. § 674.59(b) heading
- b. § 674.59(b)(1)
- c. § 674.60(a)(2)

6. The following sections in part 674 are amended by removing the words “a Direct Loan” and adding, in their place, “an NDSL”:

- a. § 674.2 (definition of “Student loan”)
- b. § 674.31(b)(5)(ii)(A)
- c. § 674.33(b)(6)(ii)
- d. § 674.36(a)

7. The following sections in part 674 are amended by removing the words “a Direct loan” and adding, in their place, “an NDSL”:

- a.–b. § 674.31(b)(5)(ii)(B)
- c. § 674.34(a)
- d. § 674.34(c)(2)
- e. § 674.37(a)(1)
- f. § 674.53(a)(1)(i)

8. The following sections in part 674 are amended by removing the words “Direct loan” and adding, in their place, “NDSL”:

- a. § 674.9(h)(2)
- b. § 674.53(b)(1) and (c)(1)
- c. § 674.56(a)(1)
- d. § 674.56(b)(1)
- e. § 674.56(c)(1)

9. The following sections in part 674 are amended by removing the words “Direct Loan” and adding, in their place, “NDSL”:

- a. § 674.52(d)
- b. § 674.57(a)(1)

10. The following sections in part 674 are amended by removing the words “Direct loans” and adding, in their place, “NDSLs”:

- a. § 674.2 (definition of “Initial grace period”)
- b. § 674.33(c)(2)
- c. § 674.34 heading
- d. § 674.36 heading
- e. § 674.37 heading
- f. § 674.42(c)(1)(i)
- g. § 674.60 heading

11. The following sections are amended by removing the words “Direct Loans” and adding, in their place, “NDSLs”:

- a. § 674.12(a)
- b. § 674.12(b)
- c. § 674.31(b)(2)(i)(A)
- d. § 674.31(b)(2)(i)(B)

12. Section 674.46 is amended by removing the words “National Direct” and adding, in their place, “NDSL” in paragraph (a)(1)(i).

[FR Doc. 00–8521 Filed 4–5–00; 8:45 am]

BILLING CODE 4000–01–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX–107–2–7424a; FRL–6567–5]

Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution From Volatile Organic Compounds, Vent Gas Control and Offset Lithographic Printing Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is taking direct final action on revisions to the Texas State Implementation Plan (SIP). This rulemaking covers three separate actions: Approving the Revisions to the 30 TAC, Chapter 115, Control of Air Pollution from Volatile Organic Compounds (VOC), Subchapter B, Division 2, Vent Gas Control (bakery oven emissions) rule as meeting our Reasonably Available Control Technology (RACT) requirements for controlling the VOC emission from such major sources in the Dallas/For Worth (D/FW) ozone nonattainment area; Converting EPA’s limited approval of certain sections in 30 TAC, Chapter 115, Control of Air Pollution from VOC, Subchapter B, Division 2, Vent Gas Control (bakery oven emissions) rule to a full approval as meeting the RACT requirements for controlling the VOC emission from such major sources in the D/FW ozone nonattainment area. By this approval action, we are saying that Texas will be implementing the RACT for VOC emissions resulting from operation of the bakeries in the D/FW area; and Approving that the revisions to the 30 TAC, Chapter 115, Control of Air Pollution from Volatile Organic Compounds (VOC), Subchapter E, Division 4, Offset Lithography Printing as meeting our RACT requirements for controlling the VOC emission from such major sources in the D/FW ozone nonattainment area. By this approval action, we are saying that Texas will be implementing the RACT for VOC emissions resulting from operation of the offset lithography printing sources in the D/FW area.

The EPA is approving these SIP revisions to regulate emissions of VOCs as meeting RACT in accordance with the requirements of the Federal Clean Air Act (the Act).

DATES: This rule is effective on June 5, 2000 without further notice, unless EPA receives adverse comment by May 8, 2000. If EPA receives such comment, EPA will publish a timely withdrawal in

the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD–L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action including the Technical support Document (TSD) are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, Dallas, Texas 75202–2733.

Texas Natural Resource Conservation Commission, Office of Air Quality, 12124 Park 35 Circle, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Mr. Alan Shar, P.E., Air Planning Section (6PD–L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–6691.

SUPPLEMENTARY INFORMATION:

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

1. What Action Is EPA Taking?

On March 16, 1999, the Governor of Texas submitted a rule revision to the Chapter 115, “Control of Air Pollution From Volatile Organic Compounds,” as a revision to the SIP for bakery operations and offset lithographic printing operations. On May 22, 1997, EPA gave limited approval to sections 115.122(a)(3), 115.126(a)(4), 115.126(a)(5), 115.127(a)(5) and