

\$1,320,885 which represented approximately 5% of the BAAQMD's budget.

Section 105(c)(1) of the CAA, 42 U.S.C. 7405(c)(1), provides that "[n]o agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year. In order for [EPA] to award grants under this section in a timely manner each fiscal year, [EPA] shall compare an agency's prospective expenditure level to that of its second preceding year." EPA may still award financial assistance to an agency not meeting this requirement, however, if EPA, "after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." CAA section 105(c)(2). These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.210(a).

In its FY-95 section 105 application, which EPA reviewed in July 1994, the BAAQMD projected expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) of \$26,757,937. This MOE would have been sufficient to meet the MOE requirements of the CAA. In January of 1996, however, the BAAQMD submitted to EPA documentation which shows that its actual FY-95 MOE was \$26,471,610. This amount represents a shortfall of \$286,327 from the MOE of the preceding fiscal year. In addition, the projected FY-96 MOE of \$24,778,132 represents a shortfall of \$1,693,478 from the FY-95 MOE of \$26,471,610. In order for the BAAQMD to be eligible to keep its FY-95 grant and to be awarded an FY-96 grant, EPA must make a determination under section 105(c)(2).

In FY-95, the BAAQMD determined that its MOE would decrease because revenues from property taxes and permit fees decreased. For FY-96 the BAAQMD once again determined that there would be continued reductions in these revenue sources. The reductions resulted in the loss of two permanent positions and the furlough of fifteen long-term temporary staff. In addition to the reduction in revenues, a general reserve and fund balance account were no longer available (because they had been depleted) to make up for shortages as they had in previous years. These were the contributing factors to a

reduction in BAAQMD's FY-95 and FY-96 MOE level.

The BAAQMD's MOE reductions resulted from a loss of revenue from property taxes and permit fees. This loss of revenue and MOE reduction resulted from circumstances beyond the District's control. EPA proposes to determine that the BAAQMD's lower FY-95 and FY-96 MOE level meets the section 105(c)(2) criteria as resulting from a non-selective reduction of expenditures. Pursuant to 40 CFR 35.210, this determination will allow the BAAQMD to keep the funds received from EPA for FY-95 and to be eligible for an FY-96 award.

This notice constitutes a request for public comment and an opportunity for public hearing as required by the Clean Air Act. All written comments received by March 18, 1996 on this proposal will be considered. EPA will conduct a public hearing on this proposal only if a written request for such is received by EPA at the address above by March 18, 1996. If no written request for a hearing is received, EPA will proceed to a final determination.

Dated: February 6, 1996.

David P. Howekamp,

Director, Air and Toxics Division.

[FR Doc. 96-3585 Filed 2-15-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5422-3]

Air Pollution Control; Proposed Action on Clean Air Act Grant to the Pima County, Arizona, Department of Environmental Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed determination with request for comments and notice of opportunity for public hearing.

SUMMARY: The U.S. EPA has made a proposed determination that a reduction in expenditures of non-Federal funds for the Pima County, Arizona, Department of Environmental Quality (PDEQ) in Tucson, Arizona is a result of a non-selective reduction in expenditures. This determination, when final, will permit the PDEQ to be awarded financial assistance for FY-96 by EPA under section 105(c) of the Clean Air Act (CAA).

DATES: Comments and/or requests for a public hearing must be received by EPA at the address stated below by March 18, 1996.

ADDRESSES: All comments and/or requests for a public hearing should be mailed to: Douglas K. McDaniel, Air Grants Section (A-2-3), Air and Toxics

Division, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105-3901; FAX (415) 744-1076.

FOR FURTHER INFORMATION CONTACT:

Douglas K. McDaniel, Air Grants Section (A-2-3), Air and Toxics Division, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105-3901 at (415) 744-1246.

SUPPLEMENTARY INFORMATION: Under the authority of Section 105 of the CAA, EPA provides financial assistance to the PDEQ to aid in the operation of its air pollution control programs. In FY-95, EPA awarded the PDEQ \$331,207, which represented approximately 25.4% of the PDEQ's air pollution control program budget.

Section 105(c)(1) of the CAA, 42 U.S.C. 7405(c)(1), provides that "[n]o agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for recurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year." EPA may still award financial assistance to an agency not meeting this requirement, however, if EPA, "after notice and opportunity for public hearing, determines that a reduction in expenditures is attributable to a non-selective reduction in the expenditures in the programs of all Executive branch agencies of the applicable unit of Government." CAA section 105(c)(2). These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.210(a).

In January of 1996, the PDEQ submitted to EPA final documentation which shows that its actual FY-95 expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) were \$973,959. In its FY-96 § 105 grant application the PDEQ projected MOE of \$537,821. This amount represents a shortfall of \$436,138 from the MOE for the preceding fiscal year (FY-95). In order for the PDEQ to be eligible to be awarded its FY-96 grant, EPA must make a determination under section 105(c)(2).

In December 1995, the PDEQ submitted documentation to EPA establishing that its reduced expenditures for FY-96 result from a loss of permit revenue, due to changes to Pima County's air quality rules mandated by new Arizona state law which required Arizona localities to amend their air quality rules that were more stringent than state rules. Rule changes adopted on November 14, 1995

by the Pima County Board of Supervisors included both raising permit thresholds and lowering fee schedules to make them identical in structure to the state program. Due to these changes, there will be a severe decline in permit revenue in FY-96.

The PDEQ's MOE reduction resulted from a loss of fee revenues due to circumstances beyond its control. EPA proposes to determine that the PDEQ's lower FY-96 MOE level meets the section 105(c)(2) criteria as resulting from a non-selective reduction of expenditures. Pursuant to 40 CFR section 35.210, this determination will allow the PDEQ to be awarded \$ 105 grant funds for FY-96.

This notice constitutes a request for public comment and an opportunity for public hearing as required by the Clean Air Act. All written comments received by March 18, 1996 on this proposal will be considered. EPA will conduct a public hearing on this proposal only if a written request for such is received by EPA at the address above by March 18, 1996.

If no written request for a hearing is received, EPA will proceed to a final determination. While notice of the final determination will not be published in the Federal Register, a copy of the determination can be obtained by sending a written request to Douglas McDaniel at the above address.

Dated: February 3, 1996.

David P. Howekamp,
Director, Air and Toxics Division, U.S. EPA,
Region 9.

[FR Doc. 96-3582 Filed 2-15-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5422-2]

Public Water System Supervision Program: EPA Tentatively Approves Program Revisions Corresponding to the National Primary Drinking Water Regulations for Phase II, IIb, and V for the State of Nebraska

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given that the State of Nebraska is revising its approved State Public Water System Supervision (PWSS) Program. Nebraska has adopted regulations for the (1) synthetic organic chemicals and inorganic chemicals (Phase II), that correspond to the National Primary Drinking Water Regulations published by EPA on January 30, 1991 (56 FR 3526); (2) volatile organic chemicals (Phase IIb), that correspond to the

National Primary Drinking Water Regulations published by EPA on July 1, 1991, (56 FR 32112); and (3) synthetic organic chemicals and inorganic chemicals (Phase V), that correspond to the National Primary Drinking Water Regulations published by EPA on July 17, 1992 (57 FR 31776).

The EPA has determined that these State program revisions are no less stringent than the corresponding Federal regulations. This determination was based upon an evaluation of Nebraska's PWSS program in accordance with the requirements stated in 40 CFR 142.10. Therefore, EPA has tentatively decided to approve these State program revisions.

All interested parties are invited to request a public hearing. A request for a public hearing must be submitted to the Regional Administrator, within thirty (30) days of the date of this Notice, at the address shown below. If a public hearing is requested and granted, this determination shall not become effective until such time following the hearing that the Regional Administrator issues an order affirming or rescinding this action. If no timely and appropriate request for a hearing is received, and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become effective thirty (30) days from this Notice date.

Insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Requests for a public hearing should be addressed to: Robert Morby, Chief; Drinking Water/Groundwater Management Branch; U.S. Environmental Protection Agency, Region VII; 726 Minnesota Avenue; Kansas City, Kansas 66101-2798.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the Federal Register

and in newspapers of general circulation in the State of Nebraska. A notice will also be sent to the person(s) requesting the hearing as well as to the State of Nebraska. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. The Regional Administrator will issue an order affirming or rescinding his determination based upon review of the hearing record. Should the determination be affirmed, it will become effective as of the date of the order.

ADDRESSES: A copy of the primacy application relating to this determination is available for inspection between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday, at the following locations: U.S. EPA Region VII Drinking Water/Groundwater Management Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101-2798, and the Nebraska Department of Health, 301 Centennial Mall South, 3rd Floor, Lincoln, Nebraska 68509.

FOR FURTHER INFORMATION CONTACT: David Horak, EPA Region VII, Drinking Water/Groundwater Management Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101-2798, telephone (913) 551-7970.

Authority: Section 1413 of the Safe Drinking Water Act, as amended (1986), and 40 CFR 142.10 of the National Primary Drinking Water Regulations.

Dated: December 18, 1995.

Dennis Grams,
Regional Administrator, EPA, Region VII.
[FR Doc. 96-3282 Filed 2-15-96; 8:45 am]

BILLING CODE 6560-50-P

[ER-FRL-5413-5]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153. Weekly receipt of Environmental Impact Statements Filed February 5, 1996 Through February 9, 1996 Pursuant to 40 CFR 1506.9.

EIS No. 960059, Draft EIS, MMS, AL, CA, DE, LA, NJ, AK, CT, FL, MS, NY, NC, RI, VA, OR, TX, WA, Gulf of Mexico and Offshore Alaska Outer Continental Shelf (OCS) Oil and Gas Leasing Program 1997 to 2002 for 16 Lease Sales on Five-Year Leasing Program, Due: May 09, 1996, Contact: Richard Wildermann (703) 787-1674. EIS No. 960060, Final EIS, DOE, WY, CO, NM, UT, AZ, Salt Lake City Area