

SCAQMD \$6,670,831, which represented approximately 6% of the SCAQMD'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-94 section 105 application, which EPA reviewed in early 1994, the SCAQMD projected expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) of \$92,365,069. This MOE would have been sufficient to meet the MOE requirements of the CAA. In January of 1995, however, the SCAQMD submitted to EPA documentation which shows that its actual FY-94 MOE was \$80,505,495. This amount represents a shortfall of \$11,228,569 from the MOE of \$91,734,064 for the preceding fiscal year (FY-93). In order for the SCAQMD to be eligible to keep its FY-94 grant, EPA must make a determination under section 105(c)(2).

The SCAQMD is a single-purpose agency whose primary source of funding is emission fee revenue. It is the "unit of Government" for section 105(c)(2) purposes. The SCAQMD submitted documentation to EPA which shows that over the last three years emission reductions brought on by a combination of economic recession and more restrictive emission rules have reduced fee revenues from stationary sources from a high of \$74,433,331 in 1990-1991 to \$64,923,181 in 1993-1994. As a result of this revenue loss, the SCAQMD has instituted hiring/salary freezes, furloughs, and layoffs, has reduced its equipment purchases and contract expenditures, and has instituted new programs to reduce costs such as permit streamlining, computer-assisted permit processing, and privatization efforts.

The SCAQMD's MOE reductions resulted from a loss of fee revenues due to circumstances beyond its control. The SCAQMD did not, on its own authority, reduce its operating budget. EPA proposes to determine that the SCAQMD's lower FY-94 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 SCAQMD to keep the funds received from EPA for FY-94.

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 16, 1995 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 16, 1995. If no written request for a hearing is received, EPA will proceed to a final determination.

Dated: February 6, 1995.

**Felicia Marcus,**

*Regional Administrator.*

[FR Doc. 95-3610 Filed 2-13-95; 8:45 am]

BILLING CODE 6560-0-P

[FRL-5153-8]

### **Public Water System Supervision Program Revision for the State of Indiana**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given in accordance with the provisions of section 1413 of the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq., and 40 CFR part 142, subpart B, the National Primary Drinking Water Regulations (NPDWR), that the State of Indiana is revising its approved Public Water System Supervision (PWSS) primacy program. The Indiana Department of Environmental Management (IDEM) adopted drinking water regulations for Lead and Copper, 44 synthetic organic chemicals (SOCs), 12 inorganic chemicals (IOCs), and 8 volatile organic chemicals (VOCs) that correspond to the NPDWR for Lead and Copper, SOCs, IOCs, and VOCs, promulgated by the U.S. Environmental Protection Agency (U.S. EPA) on June 7, 1991 (56 FR 26460-26564), on January 30, 1991 (56 FR 3526-3597), as amended on July 1, 1991 (56 FR 30266-30281), and on July 17, 1992 (57 FR 31776-31849). The U.S. EPA has completed its review of Indiana's PWSS primacy program revision and has

determined that these sets of state program revisions are not less stringent than the corresponding Federal regulations.

The U.S. EPA has determined that the Indiana rule revisions meet the requirements of the Federal rule. Therefore, the U.S. EPA is proposing to approve the IDEM's rule revisions. All interested parties are invited to submit written comments on these proposed determinations, and may request a public hearing on or before March 16, 1995. If a public hearing is requested and granted, the corresponding determination shall not become effective until such time following the hearing, at which the Regional Administrator issues an order affirming or rescinding this action. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator.

Requests for public hearing should be addressed to: Miguel A. Del Toral, (WD-17J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

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 determinations and of information that the requesting person intends to submit at such hearing. (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 Indiana. A notice will be sent to the person(s) requesting the hearing as well as to the State of Indiana. The hearing notice will include a statement of purpose, information regarding the 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 upon review of the hearing record. Should the determination be affirmed, it will become effective as of the date of the order.

Should no timely and appropriate request for a hearing be received, and should the Regional Administrator not elect to hold a hearing on his own