

\$139,352 from the FY-94 MOE. In order for the MBUAPCD to be eligible to keep its FY-95 grant, EPA must make a determination under Section 105(c)(2) that the reduction in expenditures is attributable to a non-selective reduction in the programs of all agencies of the applicable unit of government.

The MBUAPCD is a single-purpose agency whose primary source of funding is permit fee revenue. Fees associated with permits issued by the MBUAPCD go directly to the district to fund its operations. It is the "unit of Government" for Section 105(c)(2) purposes. The MBUAPCD submitted documentation to EPA which shows that in 1994 and 1995 air permit fee revenues decreased because of declining economic conditions which caused the business community to curtail operations, resulting in fewer permits issued and fees collected. As a result, the MBUAPCD's overall budget and its MOE decreased. The MBUAPCD also submitted documentation to EPA which shows that over the last three years the district instituted a number of cost cutting measures, including the elimination of a position and reductions in hiring, equipment purchases, and contract costs.

The MBUAPCD's MOE reductions resulted from budget cuts stemming from a loss of fee revenues due to circumstances beyond its control. EPA proposes to determine that the MBUAPCD's lower FY-95 MOE level meets the Section 105(c)(2) criteria of a non-selective reduction. Pursuant to the CAA and 40 CFR 35.210, this determination will allow the MBUAPCD to keep the funds received from EPA for FY-95.

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 April 19, 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 April 19, 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 While notice of the final determination will not be published in the Federal Register, a copy of the determination can be obtained by sending a written request to the above address.

Dated: March 6, 1996.

David P. Howekamp,

*Director, Air and Toxics Division.*

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[FRL-5440-7]

#### **Ambient Air Monitoring Reference and Equivalent Methods; Reference and Equivalent Method Designations**

Notice is hereby given that the EPA, in accordance with 40 CFR part 53, has designated one additional reference method and two additional equivalent methods for ambient air monitoring. The reference method is for the measurement of ambient concentrations of nitrogen dioxide. The first equivalent method is for the measurement of ambient concentrations of ozone. The other equivalent is for the determination of lead in suspended particulate matter collected from ambient air.

The new reference method for nitrogen dioxide is an automated method (analyzer) which utilizes the measurement principle based on the chemiluminescent reaction between nitric oxide and ozone and the calibration procedure specified in Appendix F of 40 CFR part 50. This new designated method is identified as follows:

RFNA-0196-111, "Horiba Instruments, Incorporated Model APNA-360 Ambient NO-NO<sub>2</sub>-NO<sub>x</sub> Monitor," operated with a full scale range of 0-0.5 ppm, at any temperature in the range of 10 °C to 40 °C, with a Line Setting of "MEASURE", and an Analog Output of "MONETARY VALUE", and with or without the optional Rack Mounting Plate and Side Rails.

The new equivalent method for ozone is an automated method (analyzer) which utilizes the measurement principle based on the absorption of ultraviolet radiation by ozone at a wavelength of 254 nm and the calibration procedure specified in Appendix C of 40 CFR part 50. This new designated method is identified as follows:

EQOA-0196-112, "Horiba Instruments, Incorporated Model APOA-360 Ambient Ozone Monitor," operated with a full scale range of 0-0.5 ppm, at any temperature in the range of 10 °C to 40 °C, with a Line Setting of "MEASURE", and an Analog Output of "MOMENTARY VALUE", and with or without the optional Rack Mounting Plate and Side Rails.

These two automated methods are available from Horiba Instruments, Incorporated, 17671 Armstrong Avenue, Irvine, California 92714. The applications for designation of these nitrogen dioxide and ozone methods were received on September 15, 1995 and August 21, 1995 respectively.

A test analyzer representative of each of these methods has been tested by the

applicant, in accordance with the test procedures specified in 40 CFR part 53. After reviewing the results of those tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that these methods should be designated as a reference method and an equivalent method, respectively.

The new equivalent method for the determination of lead in suspended particulate matter collected from ambient air is identified as follows:

EQL-0196-113, "Determination of Lead Concentration in Ambient particulate Matter by Inductively Coupled Argon Plasma-Optical Emission Spectrometry (Doe Run Company)."

The applicant's request for an equivalent method determination for the above method was received on July 11, 1995. This method has been tested by the applicant, the Doe Run Company, Smelting Division, Herculaneum, Missouri, in accordance with the test procedures prescribed in 40 CFR part 53. After reviewing the results of these tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as an equivalent method.

This method uses the sampling procedure specified in the reference method for the determination of lead in suspended particulate matter collected from ambient air (40 CFR 50, Appendix G). In this method, lead in the particulate matter is solubilized by extraction with nitric acid facilitated by heat. The lead content of the sample extract is analyzed with a Baird ICP 2000 inductively coupled argon plasma-optical emission spectrometer operating at a frequency of 40.68 MHz and using the 220.353 nm lead adsorption line. The instrumental operating conditions have been optimized by the user-laboratory. Technical questions concerning this method should be directed to the Doe Run Company, Smelting Division, 881 Main Street, Herculaneum, Missouri 63048.

The information submitted by these applicants will be kept on file at EPA's National Exposure Research Laboratory, Research Triangle Park, North Carolina 27711 and will be available for inspection to the extent consistent with 40 CFR part 2 (EPA's regulations implementing the Freedom of Information Act).

As a designated reference or equivalent method, each of these methods is acceptable for use by states and other air monitoring agencies under the requirements of 40 CFR part 58,

Ambient Air Quality Surveillance. For such purposes, the method must be used in strict accordance with the operation or instruction manual associated with the method or the procedures and specifications provided in the method description and subject to any limitations (e.g., operating temperature range) specified in the applicable designation (see identification of the methods above). Vendor modifications of a designated method used for purposes of part 58 are permitted only with prior approval of the EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under Section 2.8 of Appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, an automated method designation applies to any analyzer which is identical to the analyzer described in the designation. In some cases, similar analyzers manufactured prior to the designation may be upgraded (e.g., by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designated status at a modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading. States or other agencies wishing to use a method similar to the new lead equivalent method that employs procedures and specifications significantly different from those in EQL-0196-113 must seek specific approval for their particular method under the provisions of Section 2.8 of Appendix C to 40 CFR part 58 (Modification of Methods by Users), or agencies may seek designation of such a method as an equivalent method under the provisions of 40 CFR part 53.

Part 53 requires that sellers of designated method analyzers comply with certain conditions. These conditions are given in 40 CFR 53.9 and are summarized below:

(1) A copy of the approved operation or instruction manual must accompany the analyzer when it is delivered to the ultimate purchaser.

(2) The analyzer must not generate any unreasonable hazard to operators or to the environment.

(3) The analyzer must function within the limits of the performance specifications given in Table B-1 of part 53 for at least one year after delivery when maintained and operated in accordance with the operation manual.

(4) Any analyzer offered for sale as a reference or equivalent method must bear a label or sticker indicating that it has been designated as a reference or

equivalent method in accordance with part 53.

(5) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(6) An applicant who offers analyzers for sale as reference or equivalent methods is required to maintain a list of ultimate purchasers of such analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the analyzer has been canceled or if adjustment of the analyzer is necessary under 40 CFR part 53.11(b) to avoid a cancellation.

(7) An applicant who modifies an analyzer previously designated as a reference or equivalent method is not permitted to sell the analyzer (as modified) as a reference or equivalent method (although he may choose to sell it without such representation), nor to attach a label or sticker to the analyzer (as modified) under the provisions described above, until he has received notice under 40 CFR part 53.14(c) that the original designation or a new designation applies to the method as modified, or until he has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

Aside from occasional breakdown or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to: Director, National Exposure Research Laboratory, Air Measurements Research Division (MD-78A), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of these reference and equivalent methods is intended to assist the States in establishing and operating their air quality surveillance systems under part 58. Technical questions concerning any of the methods should be directed to the appropriate applicant. Additional information concerning this action may be obtained from Frank F. McElroy, Air Measurements Research Division (MD-77), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-2622.

Joseph K. Alexander,

*Deputy Assistant Administrator for Research and Development.*

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[FRL-5440-8]

### **Ambient Air Monitoring Reference and Equivalent Methods; Receipt of Application for Reference Method Determination**

Notice is hereby given that the Environmental Protection Agency has received an application to determine if a new nitrogen dioxide monitoring method should be designated by the Administrator of the EPA as a reference method under 40 CFR part 53. The application was received on September 27, 1995 from Columbia Scientific Industries, P.O. Box 203190, Austin, Texas 78720, for their Model 5600 Oxides for Nitrogen Analyzer. If, after appropriate technical study, the Administrator determines that this method should be so designated, a notice thereof will be given in a subsequent issue of the Federal Register. For additional information regarding receipt of this application, contact Frank F. McElroy (MD-77), National Exposure Research Laboratory, U.S. EPA, Research Triangle Park, NC, 27711 (919-541-2622).

Joseph K. Alexander,

*Deputy Assistant Administrator For Research and Development.*

[FR Doc. 96-6721 Filed 3-19-96; 8:45 am]

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[OPP-42076; FRL-4989-3]

### **Nebraska Plan for Certification of Pesticide Applicators**

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

**ACTION:** Notice of intent to approve Nebraska Certification Plan.

**SUMMARY:** On July 20, 1994, EPA approved, on a contingency basis, the Nebraska Certification Plan for Restricted Use Pesticide Applicators. Final approval of the Nebraska Certification Plan was contingent upon Nebraska revising its Plan in various areas. EPA has received the revised Nebraska Plan and based on a review of this revised plan, intends to give final approval. Notice is hereby given of the intention of the Regional Administrator, EPA Region 7, to grant final approval of the revised Nebraska Certification Plan.

**DATES:** Written comments should be submitted on or before April 19, 1996.

**ADDRESSES:** Send written comments, identified by docket control number "OPP-42076" to Richard O. Jacobson, U.S. Environmental Protection Agency, Lincoln Field Office, 100 Centennial Mall North, Rm. 289, Lincoln, NE 68508.