

previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Send comments regarding these matters, or any other aspects of the information collection, including suggestions for reducing the burden, to the address listed above under **ADDRESS** near the top of this Notice.

Dated: April 30, 1996.

Paul M. Stolpman,

*Director, Office of Atmospheric Programs.*

[FR Doc. 96-11755 Filed 5-9-96; 8:45 am]

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[FRL-5502-8]

**Air Pollution Control; Proposed Actions on Clean Air Act Grants to the South Coast Air Quality Management District; California**

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

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

**SUMMARY:** The U.S. EPA has made two proposed determinations that reductions in expenditures of non-Federal funds for the South Coast Air Quality Management District (SCAQMD) in Diamond Bar, California are a result of non-selective reductions in expenditures. These determinations, when final, will permit the SCAQMD to keep the financial assistance awarded to it by EPA for FY-95, and 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 June 10, 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 (grants) to the SCAQMD, whose jurisdiction includes Los Angeles and Orange Counties in southern California, to aid in the operation of its air pollution control programs. In FY-95, EPA awarded the SCAQMD \$7,454,238, which represented approximately 7.8% 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 § 105(c)(2). These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.210(a).

In its FY-95 § 105 application, which EPA reviewed in early 1995, the SCAQMD projected expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) of \$82,811,585. This MOE would have been sufficient to meet the MOE requirements of the CAA, i.e. it would have been equal to or greater than the MOE for the previous year (FY-94). In January of 1996, however, the SCAQMD submitted to EPA final documentation which shows that its actual FY-95 MOE was \$78,479,091. This amount represents a shortfall of \$2,026,404 from the MOE of \$80,505,495 for the preceding fiscal year (FY-94). In order for the SCAQMD to be eligible to keep its FY-95 grant, EPA must make a determination under § 105(c)(2).

Furthermore, in its FY-96 § 105 grant application the SCAQMD projected MOE of \$78,452,571. This amount represents a shortfall of \$26,520 from the actual FY-95 MOE of \$78,479,091. In order for the SCAQMD to be eligible to be awarded its FY-96 grant, EPA must make a determination under § 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 § 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 \$52,282,026 in 1994-1995. The SCAQMD projects this revenue loss to continue through FY-96. As a result, 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.

Therefore, the SCAQMD's MOE reductions resulted from a loss of fee revenues due to circumstances beyond its control. EPA proposes to determine that the SCAQMD's lower FY-95 and FY-96 MOE levels meet the § 105(c)(2) criteria as resulting from a non-selective reduction of expenditures. Pursuant to 40 CFR 35.210, these determinations will allow the SCAQMD to keep the funds received from EPA for FY-95 and be awarded financial assistance 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 June 10, 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 June 10, 1996.

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

Dated: May 2, 1996.

David P. Howekamp,

*Director, Air and Toxics Division, U.S. EPA, Region 9.*

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[FRL-5503-5]

**Acid Rain Provisions**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice.

**SUMMARY:** EPA today announces the allocation of allowances to small diesel