

DELAWARE RIVER BASIN COMMISSION**Water Quality Regulations; Amendments to Comprehensive Plan, Water Code of the Delaware River Basin and Administrative Manual—Part III Water Quality Regulations**

AGENCY: Delaware River Basin Commission.

ACTION: Notice.

SUMMARY: At its October 23, 1996 business meeting, the Delaware River Basin Commission amended its Comprehensive Plan, Water Code and Water Quality Regulations concerning water quality criteria for toxic pollutants, and policies and procedures to establish wasteload allocations and effluent limitations for point source discharges to Zones 2 through 5 (Trenton, New Jersey to the Delaware Bay) of the tidal Delaware River.

EFFECTIVE DATE: January 1, 1997.

ADDRESSES: Copies of the Commission's Water Code of the Delaware River Basin, Administrative Manual—Part III Water Quality Regulations, the full text of the amendments and *Response Document—September 5, 1996 Public Hearing* are available from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

FOR FURTHER INFORMATION CONTACT: Susan M. Weisman, Commission Secretary, Delaware River Basin Commission; Telephone (609) 883-9500 ext. 203.

SUPPLEMENTARY INFORMATION: On October 5, 11 and 13, 1995, the Commission held public hearings on proposed amendments to its water quality regulations as noticed in the Federal Register, Vol. 60, No. 143, July 26, 1995 and Vol. 60, No. 183, September 21, 1995. As a result of comments received on that proposal and discussions with the Commission's Water Quality and Toxics Advisory Committees, the Commission modified its initial proposal. The proposed regulations, as modified, were the subject of a public hearing on September 5, 1996 as noticed in the Federal Register, Vol. 61, No. 139, July 18, 1996.

Specifically, water quality criteria for selected toxic pollutants are incorporated in the Comprehensive Plan and Article 3 of the Water Code and Water Quality Regulations as stream quality objectives. Article 4 of the Water Quality Regulations has also been amended to include policies and procedures to be used to establish wasteload allocations for those

discharges containing pollutants which exceed the stream quality objectives and impact the designated uses of the river.

Adoption of these amendments provides a mechanism for identifying toxic pollutants which impair aquatic life and human health, and developing uniform and equitable wasteload allocations for those NPDES discharges to the tidal Delaware River which contribute to their impairment. The permitting authorities of the Basin states will utilize allocations developed by the Commission to establish effluent limitations for NPDES permittees in their jurisdiction, as appropriate.

Modifications to the initial proposal include the following:

1. Revised numerical values for the stream quality objectives for five parameters;
2. Inclusion of language requiring the Commission to identify and designate critical habitat within the tidal Delaware River;
3. Revised language regarding discharges to exposed benthic habitat;
4. Inclusion of a provision for a demonstration to support alternative requirements for dispersion areas or mixing zones where stream quality objectives for the protection of aquatic life from acute effects may be permitted;
5. Specification that the Commission rather than the Executive Director is authorized to establish alternative requirements based upon the demonstration discussed in item no. 4.;
6. Deletion of tables of values of Minimum Performance Standards, and replacement with language describing the basis for establishing Minimum Performance Standards;
7. Inclusion of language and definitions specifying the order of preference for information/data used to establish initial loadings for allocation of wasteloads;
8. Revised language on adjustments for pollutants in intake water;
9. Modification of language specifying the maximum extent of acute toxicity dispersion areas or mixing zones to indicate that these requirements will be used as a guideline in establishing wasteload allocations;
10. Revised language regarding the basis for the effluent flows for municipal wastewater treatment plants that will be used to set wasteload allocations; and
11. Revised language regarding the type of point source discharge that will be covered by these regulations.

Based upon testimony received since the initial proposal and considerable deliberation, the Commission has amended its Comprehensive Plan, Water Code of the Delaware River Basin and

Administrative Manual—Part III Water Quality Regulations.

Delaware River Basin Compact, 75 Stat. 688.

Dated: October 25, 1996.

Susan M. Weisman,

Secretary.

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DEPARTMENT OF EDUCATION

[CFDA No.: 84.132A]

Centers for Independent Living; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1997

Purpose of Program: This program provides support for planning, conducting, administering, and evaluating centers for independent living (centers) that comply with the standards and assurances in section 725 of the Rehabilitation Act of 1973 (Act), as amended, consistent with the State plan for establishing a statewide network of centers. Centers are consumer-controlled, community-based, cross-disability, nonresidential, private nonprofit agencies that are designed and operated within local communities by individuals with disabilities and provide an array of independent living (IL) services.

Eligible Applicants: To be eligible to apply, an applicant must be a consumer-controlled, community-based, cross-disability, nonresidential, private nonprofit agency as defined in 34 CFR 364.4; have the power and authority to meet the requirements in 34 CFR 366.2(a)(1); be able to plan, conduct, administer, and evaluate a center for independent living consistent with the requirements of Section 725 (b) and (c) of the Act and Subparts F and G of 34 CFR Part 366; and either—(1) not currently be receiving funds under Part C of Chapter 1 of Title VII of the Act; or (2) propose the expansion of an existing center through the establishment of a separate and complete center (except that the governing board of the existing center may serve as the governing board of the new center) in a different geographical location. Eligibility under this competition is limited to entities that meet the requirements of 34 CFR 366.24 and propose to serve areas that are unserved or underserved in the States and territories listed under AVAILABLE FUNDS.

Deadline for Transmittal of Applications: March 7, 1997.

Deadline for Intergovernmental Review: May 6, 1997.