

EPA for FY-96 under section 105(c) of the CAA.

DATES: Comments and/or requests for a public hearing must be received by EPA at the address stated below by May 2, 1997.

ADDRESSES: All comments and/or requests for a public hearing should be mailed to: Sara Bartholomew, Grants and Program Integration Office (AIR-8), Air Division, U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105-3901; FAX (415) 744-1076.

FOR FURTHER INFORMATION CONTACT: Sara Bartholomew, Grants and Program Integration Office (AIR-8), Air Division, U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105-3901 at (415) 744-1250.

SUPPLEMENTARY INFORMATION: Under the authority of Section 105 of the CAA, EPA provides financial assistance (grants) to the MBUAPCD to aid in the operation of its air pollution control programs. In FY-95 EPA awarded the MBUAPCD \$292,856, which represented approximately 8% of the District's budget. In FY-96, EPA awarded the MBUAPCD \$272,869, which represented approximately 7% of the District'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-96 section 105 application, which EPA reviewed in early 1996, the MBUAPCD projected expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) of \$2,873,212. This MOE would have been sufficient to meet the MOE requirements of the CAA because it was not lower than the FY-95 MOE

of \$2,828,502. In November of 1996, however, the MBUAPCD submitted to EPA documentation which shows that its actual FY-96 MOE was \$2,701,629. This amount represents a shortfall of \$126,873 from the MOE for FY-95. In order for the District to be eligible to keep its FY-96 grant, EPA must make a determination under § 105(c)(2).

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 1995 and 1996 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 past four years the District instituted a number of cost cutting measures, including reductions in hiring, equipment purchases, and contract costs.

In summary, the MBUAPCD's MOE reductions resulted from budget cuts stemming from a loss of fee revenues due to circumstances beyond the District's control. EPA proposes to determine that the MBUAPCD'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 C.F.R. 35.210, this determination will allow the MBUAPCD to keep the funds received from EPA 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 May 2, 1997 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 May 2, 1997.

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

Dated: March 19, 1997.

Amy Zimpfer,

Acting Director, Air Division, U.S. EPA, Region 9.

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[FRL-5805-6]

Public Meetings of the Urban Wet Weather Flows Advisory Committee, the Storm Water Phase II Advisory Subcommittee, and the Sanitary Sewer Overflow Advisory Subcommittee

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is given that the Environmental Protection Agency (EPA) has cancelled the Storm Water Phase II Advisory Subcommittee meeting scheduled for April 17-18, 1997 at the Omni Inner Harbor Hotel, Baltimore, Maryland. This meeting was listed in the **Federal Register** of February 10, 1997.

The next public meeting for the Storm Water Phase II Advisory Subcommittee is June 12-13, 1997 at the Doubletree Hotel Park Terrace in Washington, DC. Details for this meeting are in the **Federal Register** of February 10, 1997.

FOR FURTHER INFORMATION: Contact Sharie Centilla, Office of Wastewater Management, at (202) 260-6052 or Internet: centilla.sharie@epamail.epa.gov

Dated: March 26, 1997.

Michael B. Cook,

Director, Office of Wastewater Management, Designated Federal Official.

[FR Doc. 97-8382 Filed 4-1-97; 8:45 am]

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[OPP-30351B; FRL-5597-4]

Rohm and Haas Company; Approval of Pesticide Product Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces Agency approval of applications submitted by Rohm and Haas Co., to conditionally register the pesticide products Thiazopyr Technical Herbicide and Visor 2E Herbicide containing a new active ingredient not included in any previously registered products pursuant to the provisions of section 3(c)(7)(C) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.