

beginning November 28, 1997³. In the case of retail outlets and wholesale purchaser-consumer facilities located in the affected covered areas EPA will enforce the new oxygen standard beginning December 29, 1997. EPA intends to initiate a rulemaking to revise § 80.41(p) to reflect the need for additional downstream transition time when a standard is changed.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

Sylvia K. Lowrance,

Assistant Administrator for Enforcement and Compliance Assurance.

[FR Doc. 97-20220 Filed 7-30-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5866-5]

Safe Drinking Water Act State Primary Enforcement Program Revision Approval: New York State

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final action.

SUMMARY: This Notice announces EPA's approval of a state primary enforcement program revision application from New York State to include the Surface Water Treatment Rule.

DATES: EPA's approval is effective June 3, 1997, except as noted below.

FOR FURTHER INFORMATION CONTACT: Copies of EPA's final determination and response to comments are available for public distribution by writing to USEPA Region II, Division of Environmental Planning and Protection, 290 Broadway, 28th Floor, New York, New York, 10007-1866, ATTN: NYC Watershed Team or by calling (212) 637-3519.

SUPPLEMENTARY INFORMATION: On June 29, 1989, EPA promulgated the Surface Water Treatment Rule (SWTR), 40 CFR part 141, subpart H under authority of the Safe Drinking Water Act. As prescribed under 40 CFR 142.12, Revision of State Program, states with primary enforcement responsibility (primacy) for the Safe Drinking Water Act (SDWA) must adopt all new and revised national primary drinking water regulations (NPDWRs). States must submit primacy program revision application packages to EPA regions for approval of the program revision. The package must sufficiently demonstrate

that the state's revised regulations are no less stringent than the federal regulations and that they are enforceable by the state. If the application meets the requirements of 40 CFR 142.12, it is to be approved by EPA.

On March 11, 1992, the New York State Department of Health (NYSDOH) promulgated its own surface water treatment regulations as part of the State Sanitary Code and, thereafter, applied to EPA for primacy program revision to include these regulations. EPA reviewed the NYSDOH's request to revise its Public Water System Supervision Primacy Program regulations. Based on this review EPA found that the regulations, when compared to the federal SWTR regulations (40 CFR part 141, subpart H), met the standards for approval of primacy program revision set out in 40 CFR part 142, subpart B. The NYSDOH was notified of EPA's initial determination to approve its application in a letter dated July 22, 1993.

In accordance with 40 CFR 142.13 a notice of EPA's initial decision to approve NYSDOH's application was published in the **Federal Register** on July 30, 1993 and in several newspapers of general circulation throughout the State shortly thereafter. The Notices included an opportunity to request a public hearing. A public hearing was requested by The Coalition of Watershed Towns and Putnam County within the allowed 30 day request period. Accordingly, EPA held a public hearing on December 7, 1993. EPA received written and oral comments at the hearing and thereafter. Subsequent to the public hearing, EPA must either affirm or rescind its initial determination by order pursuant to 40 CFR 142.13(f).

A final decision was delayed due to challenges to New York City's proposed promulgation of revised watershed regulations and critical watershed protection programs set forth in EPA's 1993 Filtration Avoidance Determination (FAD) for New York City's Catskill/Delaware water supply system. This led to negotiations between EPA, New York City, New York State, the Coalition of Watershed Towns, several counties and environmental groups over the next two years, causing further delays. The negotiations resulted in the New York City Watershed Memorandum of Agreement (MOA), executed January 21, 1997.

As part of the New York City Watershed Memorandum of Agreement (MOA) signed on January 21, 1997, the State and EPA agreed that EPA will retain SWTR primacy for New York City's Catskill/Delaware water supply

system until May 15, 2007. Therefore, EPA's approval of the State's application for SWTR primacy with respect to this system will become effective on May 15, 2007. The reason for EPA retaining primacy during this period is to provide the appropriate oversight of New York City's implementation of the conditions of a Filtration Avoidance Determination which EPA issued on May 6, 1997. This period will allow EPA to continue its work with the City to ensure the City meets the conditions of EPA's Filtration Avoidance Determination. It will also allow time for NYSDOH to strengthen its oversight program for New York City's Catskill/Delaware system. As provided in the Watershed MOA, during this period of EPA retained primacy, EPA and the NYSDOH will work jointly and cooperatively with respect to decisions concerning enforcement of the SWTR as it applies to the Catskill/Delaware system.

Dated: July 14, 1997.

Jeanne M. Fox,

Regional Administrator.

[FR Doc. 97-20175 Filed 7-30-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1181-DR]

Michigan; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Michigan, (FEMA-1181-DR), dated July 11, 1997, and related determinations.

EFFECTIVE DATE: July 22, 1997.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3260.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Michigan, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 11, 1997:

Genesee County for Individual Assistance.

³This supersedes the downstream enforcement timing discussed in "RFG/Anti-Dumping Questions and Answers, November 12, 1996".