

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6115-6]

Air Pollution Control; Proposed Actions on Clean Air Act Grants to the Monterey Bay Unified Air Pollution Control District**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed determination with request for comments and notice of opportunity for public hearing.

SUMMARY: The EPA has made a proposed determination under section 105(c) of the Clean Air Act (CAA) that a reduction in expenditures of non-Federal funds for the Monterey Bay Unified County Air Pollution Control District (MBUAPCD, or "District") in Monterey, California is the result of a non-selective reduction in expenditures. This determination, when final, will permit the MBUAPCD to keep the financial assistance awarded to it by EPA for FY-97 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 July 24, 1998.

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-96 EPA awarded the MBUAPCD \$272,869, which represented approximately 7% of the District's budget. In FY-97, EPA awarded the MBUAPCD \$255,265, which represented approximately 8% 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 § 105(c)(2). These statutory requirements are repeated in EPA's implementing regulations at 40 CFR 35.210(a).

In its FY-97 § 105 application, which EPA reviewed in early 1997, the MBUAPCD projected expenditures of non-Federal funds for recurrent expenditures (or its maintenance of effort (MOE)) of \$2,888,803. This MOE would have been sufficient to meet the MOE requirements of the CAA because it was not lower than the FY-96 MOE of \$2,701,629. In October of 1997, however, the MBUAPCD submitted to EPA documentation which shows that its actual FY-97 MOE was \$2,561,303. This amount represents a shortfall of \$140,326 from the MOE for FY-96. In order for the District to be eligible to keep its FY-97 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 § 105(c)(2) purposes. The MBUAPCD submitted documentation to EPA which indicates that the reduction of actual expenditures is primarily composed of declining fee revenues. Due to shortfalls in revenues, the Board has directed the district to control costs and reduce the existing fund balance.

In summary, the MBUAPCD's MOE reductions resulted from budget cuts stemming from a loss of revenues due to circumstances beyond the District's control. EPA proposes to determine that the MBUAPCD's lower FY-97 MOE level meets the § 105(c)(2) criteria as resulting from a non-selective reduction of expenditures. Pursuant to 40 CFR 35.210, this determination will allow the MBUAPCD to keep the funds received from EPA for FY97.

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 July 24, 1998, 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 July 24, 1998.

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: June 11, 1998.

David P. Howekamp,*Director, Air Division, U.S. EPA, Region 9.*

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ENVIRONMENTAL PROTECTION AGENCY

[AD-FRL-6115-3]

Industrial Combustion Coordinated Rulemaking; Federal Advisory Committee Notice of Upcoming Meeting**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Industrial Combustion Coordinated Rulemaking (ICCR); Federal Advisory Committee notice of upcoming meeting.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, section 9(c), EPA gave notice of the establishment of the ICCR Federal Advisory Committee (hereafter referred to as the ICCR Coordinating Committee) in the **Federal Register** on August 2, 1996 (61 FR 40413).

The public can follow the progress of the ICCR through attendance at meetings (which will be announced in advance) and by accessing the Technology Transfer Network (TTN), which serves as the primary means of disseminating information about the ICCR.

DATES: The next meeting of the ICCR Coordinating Committee is scheduled for July 28-29, 1998. Also, most of the ICCR Work Groups—which report to the Coordinating Committee—have meetings scheduled in July, 1998. The dates of these Work Group meetings are summarized below. Further information on the dates of the Coordinating Committee meeting and the Work Group meetings may be obtained by accessing the TTN or by calling EPA (see **FOR FURTHER INFORMATION CONTACT:**).

ADDRESSES: The Coordinating Committee meeting on July 28-29, 1998 will be held at the Renaissance Long