(a) Water Resources Development Act, 1986, Public Law 99–662, 100 Stat. 4082, 33 U.S.C. 2201 et seq.

(b) Water Resources Development Act 1992, Public Law 102–580, 106 Stat. 4797, 33 U.S.C. 2201 et seq.

(c) U.S. Water Resources Council, Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies, March 10, 1983.

(d) Office of Personnel Management, FPM Bulletin 591–30.

(e) Office of Personnel Management, FPM 591–32.

(f) U.S. Army Corps of Engineers, Engineer Regulation 1165–2–29.

(g) U.S. Army Corps of Engineers, Engineer Regulation 1165–2–121.

(h) U.S. Army Corps of Engineers, Engineer Regulation 1165–2–131.

(i) U.S. Army Corps of Engineers, Engineer Regulation 405–1–12.

3. Section 241.5 is amended by

adding paragraph (d):

§241.5 Procedures for estimating the Alternative Cost Share.

* * * * *

(d) Additional consideration for high cost projects. For any project where the normal non-Federal share exceeds 35 percent, and the per capita non-Federal cost (i.e., normal non-Federal share of total construction costs divided by the population in the sponsor's geographic jurisdiction) exceeds \$300, the non-Federal share under the ability to pay provision will be either LERRD's (i.e., no cash requirement) or 35 percent, whichever is greater. If LERRD's exceed 50 percent, the non-Federal share remains at 50 percent. Projects which qualify under the benefits and income tests will receive the reduction under the high cost criteria only if the high cost criteria results in a greater reduction in the non-Federal cost share.

§241.6 [Amended]

4. In §241.6(a), the abbreviation "LCA" is revised to read "PCA".

5. In § 241.7, the terms "Local Cooperation Agreement" and "LCA" are revised to read "Project Cooperation Agreement and "PCA" respectively. In addition, this section is amended by revising paragraph (c)(2), and the first sentence of paragraph (e)(2) as follows:

§241.7 Application of test.

*

* * (c) * * *

(2) An exhibit attached to the Project Cooperation Agreement (PCA) will include the Benefits Based Floor (BBF) determined in § 241.5(a): the Eligibility Factor (EF) determined in § 241.5(b): If the Eligibility Factor is greater than zero but less than one, the estimated standard non-Federal share; the formula used in determining the ability to pay share as described in § 241.5(c)(1) through (c)(4); and a display of the non-Federal cost share under the high cost criteria described in § 241.5(d). * * * * * *

* * (e) * * *

(2) The non-Federal sponsor will be required to provide a cash payment equal to the minimum of five percent of estimated project costs, regardless of the outcome of the ability to pay test, unless any or all of the five percent cash requirement is waived by application of the high cost criteria described in $\S 241.5(d)$. * * *

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Kenneth L. Denton,

Army Federal Register Liaison Officer. [FR Doc. 95–1733 Filed 1–25–95; 8:45 am] BILLING CODE 3710–92–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC 11-1-6741; FRL-5137-2]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Oxygenated Gasoline Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the District of Columbia. This revision establishes and requires the implementation of an oxygenated gasoline program in the District of Columbia. The intended effect of this action is to approve, in a limited fashion, those subsections of the District of Columbia Municipal Regulations (DCMR) which pertain to oxygenated gasoline. It is also the effect of this action to disapprove, in a limited fashion, those subsections of the DCMR which pertain to oxygenated gasoline. This action is being taken under section 110 of the Clean Air Act (CAA). **EFFECTIVE DATE:** This final rule will become effective on February 27, 1995. ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and

Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and District of Columbia Department of Consumer and Regulatory Affairs, 2100 Martin Luther King Ave, SE., Washington, DC 20020.

FOR FURTHER INFORMATION CONTACT: Mrs. Kelly L. Bunker, (215) 597–4554.

SUPPLEMENTARY INFORMATION: On July 5, 1994 (59 FR 34401), EPA published a notice of proposed rulemaking (NPR) for the District of Columbia. The NPR proposed limited approval/limited disapproval of the District of Columbia's oxygenated gasoline regulation. The formal SIP revision was submitted by the District of Columbia's Department of Consumer and Regulatory Affairs on October 27, 1993.

The District of Columbia had submitted an oxygenated gasoline SIP on January 7, 1993. However, on July 6, 1993 EPA deemed the SIP incomplete due to the fact that the regulations were emergency and had an expiration of April 6, 1993 and because the SIP was submitted to EPA by an unauthorized authority. This incompleteness determination started the 18 month sanctions clock and the 24 month Federal implementation plan (FIP) clock. The October 27, 1993 oxygenated gasoline SIP submittal, which is the subject of this rulemaking action, stopped the 18 month sanctions clock but did not stop the 24 month FIP clock.

Other specific requirements of the District of Columbia's oxygenated gasoline regulation and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

Final Action

EPA is approving those subsections of 20 DCMR which pertain to oxygenated gasoline as a revision to the District of Columbia SIP. Those subsections of 20 DCMR include chapter 1, section 199 definitions for the terms blending plant, distributor, non-oxygenated gasoline, oxygenate, oxygenated gasoline, oxygenated gasoline control period, oxygenated gasoline control area, refiner, refinery, retailer, retail outlet, terminal, wholesale purchaserconsumer; chapter 5, section 500, subsections 500.4 and 500.5; shapter 5, section 502, subsection 502.18; chapter 9, section 904, subsections 904.1 and 904.2. EPA is also disapproving those subsections of 20 DCMR which pertain to oxygenated gasoline for the limited purpose of allowing the District of Columbia the opportunity to correct the deficiencies previously identified by EPA in the NPR. The deficiencies