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#### 40 CFR Part 61

[FRL–5408–2]

#### National Emissions Standards for Radionuclide Emissions From Facilities Licensed by the Nuclear Regulatory Commission and Federal Facilities Not Covered by Subpart H

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing.

**SUMMARY:** The Office of Radiation and Indoor Air, Radiation Protection Division will be holding a public hearing for the notice to reopen the comment period for the proposed rule to rescind 40 CFR 61, subpart I for Nuclear Regulatory Commission (NRC) and Agreement State licensees other than nuclear power reactors; and will also be extending the comment period on that notice for Subpart I.

Due to the government shutdown last month and the unusual circumstances of the extended furlough, EPA's January 9th public hearing has been rescheduled. We are also extending the comment period from January 20th to allow the public additional time to review NRC's proposed constraint level rule which was published in the Federal Register on December 13, 1995.

Due to the uncertainty created by the lack of appropriated funds and the Agency's operating under Continuing Resolutions, we are requesting those who plan to attend and participate in the public hearing on February 29th to contact Eleanor Thornton at (202) 233-9773 or Gale Bonanno at (202) 233-9219 so they can be advised of any necessary schedule changes which might occur.

**DATES:** The hearing will be held on Thursday, February 29, 1996, from 9:00 am to 5:00 pm. The extension for the comment period will allow comments to be received by EPA on or before February 22, 1996.

In addition, pursuant to Section 307(d)(5), the public may submit rebuttal and supplemental information for thirty (30) days after the public hearing. This comment period will end on March 29, 1996.

**ADDRESSES:** The hearing will take place at the Marriott Hotel, 1999 Jefferson Davis Highway, in Arlington, Virginia (accessed from the Crystal City Metro stop). Comments should be submitted (in duplicate if possible) to: Central Docket Section, Environmental Protection Agency, Attn: Air Docket No. A-92-50, Washington, DC 20460. Docket A-92-50 contains the rulemaking record. The docket is available for public inspection between the hours of 8:00 a.m. and 5:30 p.m., Monday through Friday, in room M1500 of Waterside Mall, 401 M Street SW., Washington, DC, 20460. A reasonable fee may be charged for copying. The fax number is (202) 260-4400.

**FOR FURTHER INFORMATION CONTACT:** Eleanor Thornton, Center for Federal Guidance and Air Standards, Radiation Protection Division, Office of Radiation and Indoor Air (6602J), Environmental Protection Agency, Washington, DC 20460, (202) 233-9773.

**SUPPLEMENTARY INFORMATION:** This meeting is open to any member of the public. As noted in the notice reopening the comment period (60 FR 50161, No. 188, September 28, 1995), requests to participate in the public hearing should be made in writing to the Director, Lawrence G. Weinstock, Radiation Protection Division, Office of Radiation and Indoor Air (6602J), Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, by February 15, 1996. Requests may also be faxed to EPA at (202) 233-9629 or 233-9626. Requests to participate in the public hearing should also include an outline of the topics to be addressed, the amount of time requested, and the names of the participants. EPA may also allow testimony to be given at the hearing without prior notice, subject to time restraints and at the discretion of the hearing officer. Three (3) copies of testimony should be submitted at the time of appearance at the hearings.

Dated: January 23, 1996.  
Richard D. Wilson,  
*Acting Assistant Administrator for Air and Radiation.*  
[FR Doc. 96-1557 Filed 1-26-96; 8:45 am]  
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#### 40 CFR Part 131

[WH-FRL-5408-3]

#### Water Quality Standards for Surface Waters in Arizona

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule and request for comments.

**SUMMARY:** EPA is proposing water quality standards that would be applicable to waters of the United States in the State of Arizona. The proposed standards address those six aspects of Arizona's water quality standards that EPA, Region 9 disapproved in 1993 and 1994. EPA is taking this action at this time pursuant to a court order to propose such standards by January 31, 1996. The proposed standards would establish standards for waters that are exempt from State-adopted standards due to a State rule related to mining, designate fish consumption as a use for certain waters, and make certain provisions in the State's standards related to "practical quantitation limits" inapplicable for Clean Water Act purposes. In addition, this notice proposes requirements related to implementation of certain narrative criteria in the State's standards, and solicits comment on the policies that EPA, Region 9, intends to use to implement these criteria as they relate to nutrients, chronic toxicity, and the effects of mercury on wildlife.

**DATES:** EPA will hold a public hearing on its proposed actions on February 29, 1996, in Phoenix, AZ. EPA will consider written comments on the proposed actions received by February 28, 1996, or March 8, 1996.

**ADDRESSES:** Comments should be addressed to Catherine Kuhlman, Chief, Permits and Compliance Branch, W-5, Water Management Division, EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94105. The public hearing will be held February 29, 1996, from 2 p.m. to 4 p.m. at the Arizona Department of Environmental Quality (ADEQ) Public Meeting Room, South Mall, ADEQ, 3033 North Central Ave., Phoenix, AZ 85012. This action's administrative record is available for review and copying at Water Management Division, EPA, Region 9,

75 Hawthorne St., San Francisco, CA 94105. For access to the docket materials, call (415) 744-1978 for an appointment. In the event of a government shutdown, also call (415) 744-1978 for information. A reasonable fee will be charged for copies.

**FOR FURTHER INFORMATION CONTACT:** Gary Wolinsky, Permits and Compliance Branch, W-5, Water Management Division, EPA, Region 9, 75 Hawthorne St., San Francisco, CA 94105, telephone: 415-744-1978.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Under section 303 (33 U.S.C. 1313) of the Clean Water Act (CWA), states are required to develop water quality standards for waters of the United States within the State. Section 303(c) provides that a water quality standard shall include a designated use or uses to be made of the water and criteria necessary to protect the uses. States are required to review their water quality standards at least once every three years and, if appropriate, revise or adopt new standards. 33 U.S.C. 1313(c). States are required to submit the results of their triennial review of their water quality standards to EPA. EPA is to approve or disapprove any new or revised standards. Id.

States may include in their standards policies generally affecting the standards' application and implementation. See 40 CFR 131.13. These policies are subject to EPA review and approval. 40 CFR 131.6(f), 40 CFR 131.13.

Section 303(c)(4) (33 U.S.C. 1313(c)(4)) of the CWA authorizes EPA to promulgate water quality standards that supersede disapproved State water quality standards, or in any case where the Administrator determines that a new or revised water quality standard is needed to meet the CWA's requirements.

In September 1993, EPA, Region 9, disapproved portions of Arizona's standards pursuant to section 303(c) of the CWA and 40 CFR 131.21. The portions of Arizona's standards disapproved in September 1993 relate to: The exclusion of mining-related impoundments from water quality standards; the absence of "fish consumption" as a designated use for certain water bodies; the absence of implementation procedures for the State's narrative nutrient standard; the absence of biomonitoring implementation procedures for the State's narrative toxicity criterion; and the inclusion of "practical quantitation limits" in Arizona's standards. In April