

Clermont County is one of the fastest developing counties in Ohio, located just east of Cincinnati. The County is experiencing significant changes in population density and rural demographics. The Clermont County XLC Project focuses on the East Fork of the Little Miami River (EFLMR) watershed. The specific waters within the County considered under this Agreement include the EFLMR mainstream and tributaries, and Harsha Lake, which is located centrally within the EFLMR basin. The EFLMR is a major tributary to the Little Miami River, which is a designated State and National Scenic River and is the State of Ohio's largest Exceptional Warmwater Habitat stream.

Clermont County proposes a comprehensive watershed management plan for the EFLMR. The major goal of this watershed plan is to address environmental management of its resources with an aggressive and innovative approach so that it can maintain a balance between economic growth and the preservation of its rural character and environment, and where possible strive to improve the environment and protection of the area's natural resources. The County will work in partnership with the Ohio Environmental Protection Agency (OEPA) and EPA to design and implement a plan to maintain and improve water quality, land use and economic development in the County. The development of this watershed plan will empower the local community to work with the County to review current water quality standards and establish meaningful measures of environmental conditions that are based on the specific characteristics of the EFLMR and its tributaries. Once the water quality goals are established for the watershed, the primary responsibility for achieving those goals will be at the local level. The command and control regulatory framework will be replaced with a collaborative goal setting approach. As part of the watershed management plan, Clermont County will develop a sampling and monitoring program, and a County Environmental Protection Plan that will enable the County to compile data on existing watershed environmental conditions. New findings from the sampling program pertaining to the chemical and biological characteristics of the EFLMR will be used in computer-based simulations to make predictions regarding point and non-point source pollution. The plan will also use the information to identify which policy and capital changes regarding the land management policies

must be made in order to attain the County's water quality goals in the watershed. In addition, the County anticipates using an effluent trading system in which pollution credits may be exchanged among point and non-point sources.

No regulatory flexibility is needed for the initial planning phase of this Project. More specific details regarding regulatory flexibility will be identified in the development of subsequent phases that will implement the planning developed during the initial phase. This multi-phased approach is expected to achieve superior environmental performance through greater local responsibility and management of point and nonpoint sources. The Project is comprehensive in scope and will include development issues closely tied to water quality such as land use, development procedures, open space and farmland preservation, and economic development. Most importantly, the County is being proactive-investing in watershed management controls not currently regulated by the National Pollutant Discharge Elimination System permits and much sooner than would otherwise be required under a waste load allocation and Total Maximum Daily Loads developed by OEPA. Because the watershed is rapidly developing and degraded water quality is expected if existing regulations and practices are continued, the baseline for this proactive approach to superior environmental performance is defined as no adverse trends in water quality indicators.

DATES: The period for submission of comments ends on August 30, 2000.

ADDRESSES: All comments on the proposed Phase I (Planning) Project Agreement should be sent to: Mr. Christopher Murphy, US EPA, Region 5 Water Division (WA-16J), 77 West Jackson Boulevard, Chicago, IL 60604, or Ms. Lisa Reiter US EPA, Ariel Rios Building, Mail Code 1802, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Comments may also be faxed to Christopher Murphy (312) 886-0168 or Lisa Reiter (202) 260-3125. Comments may also be received via electronic mail sent to: murphy.christopher@epa.gov or reiter.lisa@epa.gov.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the Project Fact Sheet or the proposed Phase I (Planning) Project Agreement, contact: Christopher Murphy, US EPA, Region 5 Water Division (WA-16J), 77 West Jackson Boulevard, Chicago, IL 60604, or Ms. Lisa Reiter, US EPA, Ariel Rios

Building, Mail Code 1802, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. The PA and related documents are also available via the Internet at the following location: <http://www.epa.gov/ProjectXL>. In addition, a hard copy of the proposed PA will be available at Clermont County's Office of Environmental Quality, Clermont County, 2379 Clermont Center Drive, Batavia, OH 45103—contact Paul Braasch, Clermont County Project XLC Coordinator for a copy: (513) 732-7745.

Questions to EPA regarding the documents can be directed to Christopher Murphy at (312) 886-0172 or Lisa Reiter at (202) 260-9041. To be included on the Clermont County Project XLC mailing list about future public meetings, XLC progress reports and other mailings from Clermont County on the XLC project, contact Paul Braasch, Clermont County Project XLC Coordinator, Office of Environmental Quality, Clermont County, 2379 Clermont Center Drive, Batavia, OH 45103. For information on all other aspects of the XLC Program, contact Christopher Knopes at the following address: Office of Environmental Policy Innovation, US EPA, Mail Code 1802, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. Additional information on Project XLC, including documents referenced in this notice, other EPA policy documents related to Project XLC, Regional XLC contacts, application information, and descriptions of existing XLC projects and proposals, is available via the Internet at <http://www.epa.gov/ProjectXL>.

Dated: August 10, 2000.

Elizabeth A. Shaw,

Director, Office of Environmental Policy and Innovation.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6851-1]

Public Water System Supervision Program Revision for the State of South Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The State of South Dakota has revised its Public Water System Supervision (PWSS) primacy program by changing its definition of "public water system" and adding administrative penalty authority.

Having determined that these revisions meet all pertinent requirements in the Safe Drinking Water Act, 42 U.S.C. 300f *et seq.*, and EPA's implementing regulations at 40 CFR parts 141 and 142, the EPA approves them.

Today's approval action does not extend to public water systems in Indian Country as that term is defined in 18 U.S.C. 1151. Please see

SUPPLEMENTARY INFORMATION, Item B.

DATES: Any member of the public is invited to submit written comments and/or request a public hearing on this determination by September 15, 2000. Please see **SUPPLEMENTARY INFORMATION**, Item C for information on submitting comments and requesting a hearing. If no hearing is requested or granted, then this action shall become effective September 15, 2000. If a public hearing is requested and granted, then this determination shall not become effective until such time following the hearing as the Regional Administrator issues an order affirming or rescinding this action.

ADDRESSES: Written comments and requests for a public hearing should be addressed to: Rebecca W. Hanmer, Acting Regional Administrator, c/o Linda Himmelbauer (8P-W-MS), U.S. Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Denver, CO 80202-2466.

Reviewing Documents

All documents relating to this determination are available for inspection at the following locations: (1) U.S. EPA Region 8, Municipal Systems Unit, 999 18th Street (4th floor), Denver, Colorado 80202-2466; (2) South Dakota Department of Environment and Natural Resources, Drinking Water Program, 523 East Capital Avenue, Pierre, South Dakota 57501.

FOR FURTHER INFORMATION CONTACT: Linda Himmelbauer, Municipal Systems Unit, EPA Region 8 (8P-W-MS), 999 18th Street, Suite 500, Denver, Colorado 80202-2466, telephone 303-312-6263.

SUPPLEMENTARY INFORMATION: Effective January 9, 1984, EPA approved South Dakota's application for assuming primary enforcement authority for the PWSS program, pursuant to section 1413 of the Safe Drinking Water Act (SDWA), 42 U.S.C. 300g-2, and 40 CFR part 142 (see 48 FR 55173.) The South Dakota Department of Environment and Natural Resources (DENR) administers South Dakota's PWSS program.

A. Why are Revisions to State Programs Necessary?

States with primary PWSS enforcement authority must comply

with the requirements of 40 CFR part 142 for maintaining primacy. They must adopt regulations that are at least as stringent as the National Primary Drinking Water Regulations (NPDWRs) at 40 CFR part 141. (40 CFR 142.10(a).) Changes to state programs may be necessary as federal primacy requirements change, as states must adopt all new and revised NPDWRs in order to retain primacy. (40 CFR 142.12(a).)

In 1996, Congress amended the SDWA to require that states with primary PWSS enforcement authority adopt certain authorities for administrative penalties. (SDWA section 1413(a)(6), 42 U.S.C. 300g-2(a)(6).) In 1988, EPA adopted a corresponding requirement for primacy states in its regulations in 40 CFR 142.10(f). (63 FR 23362, 23367.) To meet this new requirement, South Dakota enacted several new statutory provisions, S.D.C.L. sections 34A-3A-26, 34A-3A-27, and 34A-3A-28. EPA finds that these provisions fulfill the applicable requirements for administrative penalty authority.

The 1996 SDWA amendments also expanded the definition of a "public water system" subject to the SDWA and EPA's NPDWRs. EPA incorporated this change into its regulations in 1998 (63 FR 23362, 23366). In 1999, South Dakota adopted the broader definition in S.D.C.L. section 34A-3A-2(8). EPA finds that South Dakota's new definition is at least as stringent as the corresponding federal one.

B. How Does Today's Action Affect Indian Country (18 U.S.C. 1151) in South Dakota?

South Dakota is not authorized to carry out its Public Water System Supervision program in Indian country, as defined in 18 U.S.C. 1151. This includes, but is not limited to: Lands within the exterior boundaries of the following Indian Reservations located within the State of South Dakota:

- a. Cheyenne River Indian Reservation.
- b. Crow Creek Indian Reservation.
- c. Flandreau Indian Reservation.
- d. Lower Brule Indian Reservation.
- e. Pine Ridge Indian Reservation.
- f. Rosebud Indian Reservation.
- g. Standing Rock Indian Reservation.
- h. Yankton Indian Reservation.

EPA held a public hearing on December 2, 1999, in Badlands National Park, South Dakota, and accepted public comments on the question of the location and extent of Indian country within the State of South Dakota. In a forthcoming **Federal Register** notice, EPA will respond to comments and

more specifically identify Indian country areas in the State of South Dakota.

C. Requesting a Hearing and Submitting Written Comments

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of the responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the **Federal Register** and in newspapers of general circulation in the State of South Dakota. A notice will also be sent to the person(s) requesting the hearing as well as to the State of South Dakota. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. A final determination will be made upon review of the hearing record.

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

Jack W. McGraw,

Acting Regional Administrator, Region 8.

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested.

August 8, 2000.

SUMMARY: The Federal Communications Commission, as part of its continuing