

Counsel for the Alaskan Region at the same address.

An informal docket may also be examined during normal business hours in the Office of the Manager, System Management Branch, Air Traffic Division, at the address shown above and on the Internet at Alaskan Region's homepage at www.mmac.jccbi.gov/aal/ at.

FOR FURTHER INFORMATION CONTACT:

Robert van Haastert, System Management Branch, AAL-538, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number: (907) 271-5863; email: Robert.van.Haastert@faa.dot.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 97-AAL-4." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the System Management Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the System

Management Branch, AAL-530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise Class E airspace for instrument approach procedures at Kodiak, AK. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 of FAA Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1 (61 FR 48403; September 13, 1996). The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Kodiak, AK [Revised]

Kodiak Airport, AK

(lat. 57° 45' 00" N, long. 152° 29' 38" W)

Kodiak VORTAC

(lat. 57° 46' 30" N, long. 152° 20' 23" W)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Kodiak Airport and within 5 miles south and 9 miles north of the 070° radial of the Kodiak VORTAC extending to 17 miles northeast of the VORTAC and within 8 miles north and 4 miles south of the Kodiak Localizer front course extending from the airport to 20.3 miles east of the airport and within 14 miles of the Kodiak VORTAC extending from the 358° radial clockwise to the 107° radial; and that airspace extending upward from 1,200 feet above the surface within 27 miles of the Kodiak VORTAC extending clockwise from the 023° radial to the 088° radial and within 8 miles north and 5 miles south of the Kodiak Localizer front course extending from the airport to 32 miles east of the airport.

* * * * *

Issued in Anchorage, AK, on April 30, 1997.

Willis C. Nelson,

Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 97-12238 Filed 5-8-97; 8:45 am]

BILLING CODE 4910-13-P

DELAWARE RIVER BASIN COMMISSION

18 CFR Part 430

Protected Area Permits for New Withdrawals; Proposed Amendments to the Commission's Ground Water Protected Area Regulations for Southeastern Pennsylvania; Public Hearing

AGENCY: Delaware River Basin Commission.

ACTION: Notice of proposed rulemaking and public hearing.

SUMMARY: Notice is hereby given that the Delaware River Basin Commission will hold a public hearing to receive comments on proposed amendments to its Ground Water Protected Area Regulations for Southeastern Pennsylvania with respect to the establishment of numerical ground water withdrawal limits for subbasins in the protected area. The proposed limits, based upon hydrologic budget analyses, would initially be specified for the 14 subbasins in the Neshaminy Creek Basin. Limits for the remaining 52 subbasins within the protected area would be developed upon completion of additional hydrologic budget analyses, scheduled to be completed late in 1997.

DATES: The public hearing will be held on Tuesday, June 24, 1997 beginning at 3:00 p.m. and continuing until 5:00 p.m., as long as there are people present wishing to testify. The hearing will resume at 7:00 p.m. and continue until 9:00 p.m., as long as there are people present wishing to testify.

The deadline for inclusion of written comments in the hearing record will be announced at the hearing. Persons wishing to testify at the hearing are requested to register with the Secretary in advance of the hearing.

ADDRESSES: Written comments should be submitted to Susan M. Weisman, Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628. The public hearing will be held in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, New Jersey.

FOR FURTHER INFORMATION CONTACT: Copies of the Commission's Ground Water Protected Area Regulations for Southeastern Pennsylvania may be obtained by contacting Susan M. Weisman, Commission Secretary, telephone (609) 883-9500 ext. 203.

SUPPLEMENTARY INFORMATION:

Background and Rationale

The Commission's Ground Water Protected Area Regulations for Southeastern Pennsylvania were adopted in 1980 to prevent depletion of ground water, protect the interests and rights of lawful users of the same water source, and balance and reconcile alternative and conflicting uses of limited water resources in the area. Lowered water tables resulting from withdrawals in excess of recharge rates have led to reduction of flows in some perennial streams in the region and have dried up some stream reaches which previously flowed all year. Such

reductions in base flow interfere with instream and downstream water uses, adversely affect fisheries and aquatic life, and threaten to reduce the capacity of streams in the region to assimilate pollutants.

Since then, the ground water protected area regulations have been implemented and all interference issues have been addressed, with many sources limited to more reliable quantities. In addition, other alternative supplies have been made available in much of the protected area. While it is clear that ground water withdrawals have impacted the low flow of perennial streams, it has been difficult to address the impact on streamflow on a project by project basis. With this in mind, the Commission and its Ground Water Advisory Committee evaluated a variety of approaches and determined that additional information was needed. In 1996, the U.S. Geological Survey completed work on a computer program to more accurately compare water withdrawals and ground water base flow in the Neshaminy Creek Basin. Over the past year, the Commission's Ground Water Advisory Committee met on several occasions to review the study products and discuss possible management strategies to address the problems identified by the study. Commission staff has presented the study results and options to some 15 county planning entities, state and federal agencies and watershed, civic and professional organizations. Finally, the Commission held public briefings on the proposed amendments to the regulations on April 8, 1997 in Doylestown, Pennsylvania and on April 10, 1997 in West Chester, Pennsylvania.

The proposed amendments to the Ground Water Protected Area Regulations would establish a two-tiered system of withdrawal limits. The first tier would serve as a warning that a subbasin is "potentially stressed." In potentially stressed subbasins, applicants for new or expanded ground water withdrawals would be required to implement one or more programs to mitigate adverse impacts of additional ground water withdrawals. Acceptable programs would include: conjunctive use of ground water and surface water; expanded water conservation; programs to control ground water infiltration; and artificial recharge and spray irrigation. The second tier would serve as the maximum withdrawal limit. The Commission would seek to prevent ground water withdrawals from exceeding the maximum withdrawal limit.

The proposed regulations would also provide incentives for holders of

existing DRBC dockets and protected area permits to implement the above-cited conjunctive use and conservation programs to mitigate the adverse impacts of their ground water withdrawals. If docket or permit holders successfully implement one or both programs, the Commission would extend the docket or permit duration for up to ten years.

The proposed regulations would also specify administrative criteria for issuing and review of dockets and permits as well as protocol for updating and revising withdrawal limits to provide additional protection for streams designated by the Commonwealth of Pennsylvania as "high quality" or "exceptional value", or to correspond with any integrated resources plans adopted by municipalities for subbasins. This regulation would become effective upon adoption by the Commission.

The ground water study which provided the basis for the proposed withdrawal limits for the 14 subbasins in the Neshaminy Creek Basin was prepared by the U.S. Geological Survey in cooperation with the Commission and is entitled "Water-Use Analysis Program for the Neshaminy Creek Basin, Bucks and Montgomery Counties, Pennsylvania." Limited quantities of this report and its accompanying map series entitled "Maps of Difference Between Ground-Water Contributions to Base Flow for the Various Recurrence Intervals and Ground Water Withdrawals in the Neshaminy Creek Basin, Pennsylvania" were printed and may be reviewed at the Commission's offices at 25 State Police Drive, West Trenton, New Jersey. Please contact Judith L. Strong, Commission Librarian at (609) 883-9500 ext. 263 to make an appointment. Review copies are also available at the offices of the Bucks County Planning Commission (215) 345-3400; Bucks County Library Center (215) 348-9082; Montgomery County Planning Commission (Drew Shaw) (610) 278-3733; the Chester County Library (Sue Wilson) (610) 363-0884; and Lehigh Valley Planning Commission (610) 264-4544.

The subject of the hearing will be as follows:

Amendment to the Commission's Ground Water Protected Area Regulations for Southeastern Pennsylvania Relating to the Establishment of Numerical Ground Water Withdrawal Limits for Subbasins in the Protected Area

For the reasons set forth in the preamble, part 430 is proposed to be amended as follows:

**PART 430—GROUND WATER
PROTECTION AREA: PENNSYLVANIA**

1. The authority citation for part 430 continues to read as follows:

Authority: Pub. L. 87-328 (75 Stat. 688).

2. Section 430.13 is amended by adding new paragraphs (h) through (m), to read as follows:

§ 430.13 protected area permits for new withdrawals.

(h) Dockets and protected area permits may be issued for a duration of up to ten years and shall specify the maximum total withdrawals that must not be exceeded during any consecutive 30-day period. Such maximum total withdrawals shall be based on demands projected to occur during the duration of the docket or protected area permit.

(i) Ground water withdrawal limits shall be defined for subbasins in accordance with the provisions of paragraph (i) (1) or (2) of this section. The limits for specific subbasins are set forth in paragraph (i)(3) of this section.

(1) Hydrologic budget analyses shall be conducted for all subbasins in the Southeastern Pennsylvania Ground Water Protected Area. The analyses shall determine the 1-year-in-25 average annual baseflow rate. The 1-year-in-25 average annual baseflow rate shall serve as the maximum withdrawal limit for net annual ground water withdrawals for subbasins. If net annual ground water withdrawals exceed 75 percent of this rate for a subbasin, such a subbasin shall be deemed "potentially stressed." The Commission shall maintain a current list of net annual ground water withdrawals for all subbasins. "Net" annual ground water withdrawals include total ground water withdrawals less total water returned to the ground water system of the same subbasin.

(2) Upon application by the appropriate governmental body or bodies, the withdrawal limits criteria set forth in paragraph (i)(1) of this section may be revised by the Commission to provide additional protection for any subbasin identified in paragraph (i)(3) of

this section with streams or stream segments designated by the Commonwealth of Pennsylvania as either "high quality" or "exceptional value" or to correspond with more stringent requirements in integrated resource plans adopted and implemented by all municipalities within a subbasin identified in paragraph (i)(3) of this section. Integrated resource plans shall set forth the hydrologic basis for more stringent withdrawal limits and consider ground water availability, potential impacts of withdrawals on flow frequency, and existing and future water needs in the subbasin. Integrated resource plans shall be adopted and implemented by all municipalities within a subbasin and incorporated into each municipality's Comprehensive Plan, which is required by the Pennsylvania Municipalities Planning Code.

(3) The potentially stressed levels and withdrawal limits for all delineated basins and subbasins are set forth below:

NESHAMINY CREEK BASIN

Subbasin	Potentially stressed (mgd)	Withdrawal limit (mgd)
West Branch Neshaminy	1054	1405
Pine Run	589	785
North Branch Neshaminy	845	1126
Main Stem Doylestown	713	950
Main Stem Warwick	927	1236
Little Neshaminy Warrington	505	673
Park Creek	584	779
Little Neshaminy Warminster	1008	1344
Mill Creek	1175	1567
Main Stem Northampton	593	791
Newtown Creek	298	397
Core Creek	497	662
Ironworks Creek	326	434
Main Stem Lower Neshaminy	2876	3835

Subject to public notice and hearing, this section may be updated or revised based upon completion of hydrologic budget analyses for the remaining 52 subbasins within the Protected Area or in accordance with paragraph (i)(2) of this section.

(j) Upon its determination that a subbasin is potentially stressed, the Commission shall notify all ground water users in the subbasin withdrawing 10,000 gallons per day or more during any 30-day period of its determination. If any such users have not obtained a docket or protected area permit from the Commission, they shall be required to apply to the Commission within 60 days of notification.

(k) In potentially stressed subbasins, dockets and protected area permit

applications for new or expanded ground water withdrawals must include one or more programs to mitigate the adverse impacts of the new or expanded ground water withdrawal. The eligible programs are noted below. If the remainder of the application and the program(s) submitted are acceptable, the withdrawal may be approved by the Commission for an initial three-year period. The applicant shall implement the program(s) immediately upon Commission approval. If after the three-year period the program(s) is deemed successful by the Commission, the docket or permit duration may be extended for up to 10 years. The project sponsor shall be required to continue the program(s) for the duration of the docket or permit.

(1) A conjunctive use program that demonstrates the applicant's capability to obtain at least 15 percent of its average annual system usage from a reliable surface water supply. An acceptable program shall include either reservoir storage or an interconnection with a surface water supplier and an agreement or contract to purchase water from the supplier for the duration of the docket or permit.

(2) A water conservation program that exceeds the requirements of § 430.15. For existing water utilities, the program shall reduce average annual per capita water usage by at least five percent. All conservation programs shall include water conservation pricing, either inclining block rates, seasonal rates, or excess-use surcharges, and plumbing

fixture rebate or retrofit components. For self-supplied users, the program shall include water efficient technologies such as recycling, reuse, xeriscaping, drip or micro irrigation, or other innovative technology approved by the Commission.

(3) A program to monitor and control ground water infiltration to the receiving sewer system. The program must quantify ground water infiltration to the system and document reductions in infiltration. The program should include such measures as leakage surveys of sewer mains, metering of sewer flows in mains and interceptors, analysis of sewer system flows to quantify infiltration, and remedial measures such as repair of leaks and joints, main lining, and main replacement.

(4) An artificial recharge or spray irrigation program that demonstrates a return of at least 60 percent of the total new or expanded annual withdrawal to the same ground water basin and aquifer system from which it is withdrawn. The program shall not impair ground water quality.

(l) The durations of all existing dockets and protected area permits may be extended by the Commission for an additional five years if the docket or permit holder successfully implements either option (k)(1) or (k)(2) of this section. If the docket or permit holder successfully implements both options, the docket or permit may be extended for an additional ten years. The Executive Director shall notify all docket and permit holders potentially affected by this resolution of their right to file an application to determine their eligibility for extension.

(m) It is the policy of the Commission to prevent, to the extent reasonably possible, net annual ground water withdrawals from exceeding the maximum withdrawal limit. An application for a proposed new or expanded ground water withdrawal that would result in net annual ground water withdrawals exceeding the maximum withdrawal limit established in paragraph (i)(3) of this section shall set forth the applicant's proposal for complying with the Commission's policy, with such supporting documentation as may be required by the Executive Director. Notification of the application shall be given to all affected existing water users who may also submit comments or recommendations for consideration by the Commission on the pending application. In taking action upon the application, the Commission shall give consideration to the submissions from the applicant and affected water users.

If the Commission determines that it is in the public interest to do so, it may reduce the total of proposed and existing ground water withdrawals within a subbasin to a level at or below the withdrawal limit. Unless otherwise determined by the Commission, docket and permit holders shall share equitably in such reductions.

Dated: May 2, 1997.

Susan M. Weisman,
Secretary.

[FR Doc. 97-12069 Filed 5-8-97; 8:45 am]

BILLING CODE 6360-01-P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 207

RIN 1510-AA59

Electronic Benefits Transfer; Selection and Designation of Financial Institutions as Financial Agents

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of the Treasury, Financial Management Service (Service), proposes to adopt a new regulation dealing with the Direct Federal electronic benefits transfer (EBT) program. The Direct Federal EBT program provides access to Federal program benefit payments through electronic funds transfer (EFT) to individuals who do not have an account at a financial institution. The proposed Part 207 describes how the Service will implement EBT through the selection and designation of financial institutions as Financial Agents of the Treasury, and specifies the duties of such Financial Agents.

DATES: Comments must be received no later than July 8, 1997.

ADDRESSES: Comments may be mailed to the Director, Card Technology Division, Financial Management Service, U.S. Department of the Treasury, Room 526, Liberty Center, 401 14th Street, S.W., Washington, D.C. 20227. A copy of the proposed rule is available at the Service's home page at: <http://www.fms.treas.gov>. Comments on the proposed rule will be available for inspection in a reading room in the Department of the Treasury.

FOR FURTHER INFORMATION CONTACT: John P. Galligan, Director, Card Technology Division, (202) 874-6550, or Anne Wallace, Senior Attorney (202) 874-6681.

SUPPLEMENTARY INFORMATION:

Background

The Department of the Treasury's Financial Management Service (Service) is the Federal Government's financial manager. Its mission includes providing leadership and assistance to Federal agencies in cash management, payment policy and financial systems, and collecting and disbursing public money. The Service issues over 850 million payments each year, totaling in excess of \$1 trillion.

The Service disburses payments under a variety of Federal programs, including Social Security Old Age, Survivors, and Disability Insurance, Supplemental Security Income, Black Lung, Railroad Retirement Board Retirement and Annuity, Department of Veterans Affairs Compensation and Pension, Civil Service Retirement and Disability, and Office of Personnel Management wage and salary payments. These payments are referred to as Direct Federal payments.

The Service disburses public monies in one of two ways: Treasury check and EFT. Slightly more than half of the 850 million payments made annually, representing payments to more than 30 million individuals, are made by Direct Deposit. Direct Deposit is a safe, reliable, and economical EFT payment mechanism in which funds are sent through the automated clearing house (ACH) into an account established by the recipient at a financial institution.

To utilize Direct Deposit under Treasury's regulations, a Direct Federal payment recipient must have an account with a financial institution and must designate that account as the location to which payments are to be sent by means of Direct Deposit. 31 CFR 210.4(a). However, an estimated 20-30 million Americans, including 10 million recipients of the Direct Federal payments mentioned above, do not have a bank account. These individuals are referred to as "unbanked recipients" in this proposal. Without an account at a financial institution, these recipients cannot receive their Direct Federal benefits via Direct Deposit. In order to afford unbanked recipients with a safe, reliable, and economical means of accessing their benefits, Treasury, together with other agencies in the Executive Branch, has been developing EBT for Direct Federal payments.

EBT is any delivery system which disburses government benefits through EFT and replaces paper benefit distribution with EFT and electronic access in the form of a plastic card. EBT may utilize a debit card or a stored value card, usable at point of sale (POS)