

order. An applicant with demonstrated competence and experience in the field of bilingual education would receive a larger share of the points to be assigned under "Quality of personnel", which could place that applicant higher in the rank order than an applicant which submitted an application of comparable quality, yet lacked this experience.

Comment. One commenter asked whether the term "area" in § 510.34 (c)(4) and (c)(5) referred to geographic area.

Response. Changes have been made. Section 510.34(c) has been revised to clarify that the word "area" refers to geographic area.

Comment. One commenter asked whether the term "existing projects" in 34 CFR 510.34(c)(6) referred to projects funded under the Training Projects Program.

Response. A change has been made. Section 510.34(c)(6) has been revised to clarify that the Secretary considers the extent to which the project addresses a specific need for training not addressed by existing projects funded under the Training Projects Program.

Executive Order 12291

These proposed regulations have been reviewed in accordance with Executive Order 12291.

They are classified as non-major because they do not meet the criteria for major regulations established in the Order.

Regulatory Flexibility Act Certification

The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities. Approximately 200 applicants sought assistance in Fiscal Year 1982. These regulations establish additional factors for consideration in making awards. They will not have a significant economic impact on any applicants or grantees.

Assessment of Educational Impact

In the notice of proposed rulemaking, the Secretary requested comments on whether the proposed regulations would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Based on the absence of any comments on this matter and the Department's own review, it has been determined that the regulations in this document do not require information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 510

Bilingual education, Colleges and universities, Education, Elementary and secondary education, Grant programs—education, Teachers.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these final regulations.

Dated: May 4, 1983.

T. H. Bell,

Secretary of Education.

(Catalog of Federal Domestic Assistance No. 84.003, Bilingual Education Program)

The Secretary amends Part 510 of Title 34 of the Code of Federal Regulations as follows:

PART 510—BILINGUAL EDUCATION: TRAINING PROJECTS PROGRAM

Section 510.34 is revised to read as follows:

§ 510.34 What factors does the Secretary consider in awarding grants?

(a) The Secretary establishes a cut-off score which an application must meet, based on the applicable selection criteria in § 510.31 (for applications proposing to provide training programs at institutions of higher education), § 510.32 (for applications proposing to provide short-term or year-round training institutes), or § 510.33 (for applications proposing to provide training projects for SEA personnel), to be considered for a grant. The cut-off score for each separate competition is announced annually in the application notice published in the **Federal Register**.

(b) In determining the distribution of funds under this Part, the Secretary shall give priority to areas having the greatest need for programs assisted under this Part.

(c) In determining need under paragraph (b) of this section, the Secretary considers—

(1) The number and native language of children of limited English proficiency who would benefit from the training to be provided to persons participating in the project;

(2) The number and kinds of personnel currently participating in or preparing to participate in programs of bilingual education for these children, compared to the number and kinds of personnel needed;

(3) The number and kinds of personnel that the applicant proposes to train under this program and other programs supported under the Act;

(4) Past and present assistance provided under the Training Projects Program to address the need of the

language group(s) and geographic area(s) proposed to be served;

(5) The absence of training programs addressing the needs of the language group(s) in the geographic area(s) proposed to be served by the applicant; and

(6) The extent to which the project addresses a specific need for training not addressed by existing projects funded under the Training Projects Program. (20 U.S.C. 3231(c), 3233(a)(1))

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 61

[A-6-FRL 2299-5]

Delegation of Additional Authority to State of Texas for New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA, Region 6, has delegated to the State of Texas, the additional authority to implement and enforce the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements adopted after the delegation dates of November 15, 1978, and February 5, 1981. Except as specifically limited, all of the authority and responsibilities of the Administrator or the Regional Administrator which are found in 40 CFR Parts 60 and 61 are delegated to the Texas Air Control Board (TACB). Any such authority and responsibilities may be redelegated by the Board to its staff.

EFFECTIVE DATE: December 28, 1982.

ADDRESS: Copies of the State request and State-EPA agreement for this delegation of authority are available for public inspection at the Air Branch, Environmental Protection Agency (EPA), Region 6, Interfirst Two Building, 28th Floor, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: William H. Taylor, Air Branch, EPA, address above. Telephone 214-767-1594; FTS 8-729-1594.

SUPPLEMENTARY INFORMATION: On May 9, 1975, the State of Texas requested EPA, Region 6, to delegate the authority to the TACB to implement and enforce

the NSPS and NESHAP programs specified under 40 CFR Parts 60 and 61.

On November 15, 1978 and February 5, 1981, EPA delegated the authority to the State of Texas to implement and enforce the existing NSPS and NESHAP programs in the State of Texas. Condition 4 of the delegation agreement did not allow the State to assume the responsibilities to implement and enforce the NSPS and NESHAP requirements adopted after the above delegation dates. Therefore, on December 15, 1982, the State of Texas requested a revision of the delegation of responsibility for the NSPS and NESHAP programs. After a thorough review of the request and information submitted, the Regional Administrator determined that the State's pertinent laws and the rules and regulations of the TACB were found to provide an adequate and effective procedure to implement and enforce all future NSPS and NESHAP requirements. Therefore, on December 28, 1982, EPA delegated the additional authority to the State of Texas to implement and enforce all previously adopted and all future NSPS and NESHAP requirements pursuant to Sections 111(c) and 112(d) of the Clean Air Act subject to the conditions and limitations as specified in the agreements. However, the State may decline delegation of any standard within thirty (30) days after final promulgation. This amendment supersedes the November 15, 1978, and February 5, 1981, delegation agreements.

This notice will have no effect on the National Ambient Air Quality Standards.

The Office of Management and Budget has exempted this from the requirements of Section 3 of Executive Order 12291.

Sources locating in the State of Texas should submit all information pursuant to 40 CFR Parts 60 and 61 directly to the State agency at the following address: Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

List of Subjects

40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Motor vehicles, Nitric acid plants, Paper and paper products industry, petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc.

40 CFR Part 61

Air pollution control, Asbestos, Beryllium, Hazardous materials, Mercury, Vinyl chloride.

This delegation is issued under the authority of Sections 111 and 112 of the Clean Air Act, as amended (42 U.S.C. 7411 and 7412).

Dated: January 25, 1983.

Frances E. Phillips,
Acting Regional Administrator.

PART 60—NEW SOURCE PERFORMANCE STANDARDS

The address for the State agency has been changed. Therefore, Part 60 of Chapter 1, Title 40 of the Code of Federal Regulations is amended as follows:

In § 60.4, paragraph (b)(SS) is amended by revising the phrases "8520 Shoal Creek Boulevard" to read "6330 Highway 290 East" and "78758" to read "78723" as follows:

§ 60.4 Address.

* * * * *
(b) * * *
(SS) * * * 6330 Highway 290
East, * * * 78723.

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

The address for the State agency has been changed. Therefore, Part 61 of Chapter 1, Title 40 of the Code of the Federal Regulations is amended as follows:

In § 61.4, paragraph (b)(SS) is amended by revising the phrases "8520 Shoal Creek Boulevard" to read "6330 Highway 290 East" and "78758" to read "78723" as follows:

§ 61.4 Address.

* * * * *
(b) * * *
(SS) * * * 6330 Highway 290
East, * * * 78723.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA 6510]

Changes in Special Flood Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Interim rule.

SUMMARY: This rule lists those communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) elevations for new buildings and their contents and for second year layer insurance on existing buildings and their contents.

DATES: These modified elevations are currently in effect and amend the Flood Insurance Rate Map (FIRM) in effect prior to this determination.

From the date of the second publication of notice of these changes in a prominent local newspaper, any person has ninety (90) days in which he can request through the community that the Associate Director, State and Local Programs and Support reconsider the changes. These modified elevations may be changed during the 90-day period.

ADDRESS: The modified base (100-year) flood elevation determinations are available for inspection at the office of the Chief Executive Officer of the community, listed in the fifth column of the table.

Send comments to that address also.

FOR FURTHER INFORMATION CONTACT: Dr. Brian R. Mrazik, Acting Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472; (202) 287-0230.

SUPPLEMENTARY INFORMATION: The numerous changes made in the base (100-year) flood elevations on the Flood Insurance Rate Map(s) make it administratively infeasible to publish in this notice all of the modified base (100-year) flood elevations contained on the map. However, this rule includes the address of the Chief Executive Officer of the community where the modified base (100-year) flood elevation determinations are available for inspection.

Any request for reconsideration must be based on knowledge of changed conditions, or new scientific or technical data.

These modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 65.4.

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.