

§ 35.910-8

40 CFR Ch. I (7-1-07 Edition)

but must be obligated by May 3, 1980. After that date, unobligated balances will be subject to reallocation under section 205 (b) of the Act (see § 35.910-2 (b)).

(b) The allotments, computed by proportionally adjusting the table on page 16 of Senate Report No. 95-38, are based on the following four factors:

(1) 25 percent on the States estimated 1975 census population;

(2) 50 percent on each State's partial needs, i.e., on the cost of needed facilities in categories I, II, and IVB (secondary treatment, more stringent treatment required to meet water quality standards, and interceptor sewers and pumping stations), as shown in table IV of the May 6, 1975, EPA report, "cost Estimates for Construction of Publicly Owned Waste Water Treatment Facilities—1974 Needs Survey";

(3) 25 percent on each State's full needs, i.e., on the cost of needed facilities in categories I, II, IIIA, IIIB, IVA, IVB, and V (secondary treatment, more stringent treatment required to meet water quality standards, infiltration and inflow correction, major sewer system rehabilitation, collector sewers, interceptor sewers, and pumping stations, and treatment of combined sewer overflows), as shown in table V of the EPA report noted in paragraph (b) (2) of this section; and

(4) An allotment adjustment to insure that no State receives less than the one-third of 1 percent of the total amount allocated.

(c) Based on paragraph (b) of this section, the total additional sums hereby allotted to the States are as follows:

State	Allotment
Alabama	\$10,906,000
Alaska	4,759,000
Arizona	6,345,000
Arkansas	10,807,000
California	82,391,000
Colorado	8,031,000
Connecticut	12,195,000
Delaware	3,966,000
District of Columbia	3,966,000
Florida	35,792,000
Georgia	19,929,000
Hawaii	6,940,000
Idaho	4,065,000
Illinois	52,151,000
Indiana	21,713,000
Iowa	11,005,000
Kansas	12,195,000
Kentucky	14,971,000
Louisiana	12,493,000

State	Allotment
Maine	5,453,000
Maryland	37,874,000
Massachusetts	27,662,000
Michigan	46,897,000
Minnesota	15,070,000
Mississippi	7,535,000
Missouri	19,830,000
Montana	3,272,000
Nebraska	6,147,000
Nevada	3,272,000
New Hampshire	6,742,000
New Jersey	47,591,000
New Mexico	3,272,000
New York	105,294,000
North Carolina	20,722,000
North Dakota	3,272,000
Ohio	55,522,000
Oklahoma	13,484,000
Oregon	8,328,000
Pennsylvania	46,698,000
Rhode Island	3,966,000
South Carolina	13,088,000
South Dakota	3,272,000
Tennessee	14,872,000
Texas	43,030,000
Utah	5,057,000
Vermont	3,272,000
Virginia	22,011,000
Washington	15,368,000
West Virginia	21,614,000
Wisconsin	19,929,000
Wyoming	3,272,000
Guam	992,000
Puerto Rico	8,923,000
Virgin Islands	496,000
American Samoa	298,000
Trust Territory of Pacific	1,983,000
Total	1,000,000,000

§ 35.910-8 Allotments for fiscal years 1978-1981.

(a) Unless later legislation requires otherwise, for each of the fiscal years 1978-1981, all funds appropriated under authorizations in section 207 of the Act will be distributed among the States based on the following percentages drawn from table 3 of Committee print numbered 95-30 of the Committee on Public Works and Transportation of the House of Representatives:

State	Percentage
Alabama	1.2842
Alaska	.4235
Arizona	.7757
Arkansas	.7513
California	7.9512
Colorado	.9187
Connecticut	1.1072
Delaware	.3996
District of Columbia	.3193
Florida	3.8366
Georgia	1.9418
Hawaii	.7928
Idaho	.4952
Illinois	5.1943

**Environmental Protection Agency**

**§ 35.910-8**

State	Percentage
Indiana .....	2.7678
Iowa .....	1.2953
Kansas .....	.8803
Kentucky .....	1.4618
Louisiana .....	1.2625
Maine .....	.7495
Maryland .....	2.7777
Massachusetts .....	2.9542
Michigan .....	4.1306
Minnesota .....	1.8691
Mississippi .....	.9660
Missouri .....	2.4957
Montana .....	.3472
Nebraska .....	.5505
Nevada .....	.4138
New Hampshire .....	.8810
New Jersey .....	3.5715
New Mexico .....	.3819
New York .....	10.6209
North Carolina .....	1.9808
North Dakota .....	.3107
Ohio .....	6.4655
Oklahoma .....	.9279
Oregon .....	1.2974
Pennsylvania .....	4.3616
Rhode Island .....	.5252
South Carolina .....	1.1766
South Dakota .....	.3733
Tennessee .....	1.5486
Texas .....	4.3634
Utah .....	.4457
Vermont .....	.3845
Virginia .....	1.9602
Washington .....	1.7688
West Virginia .....	1.7903
Wisconsin .....	1.9503
Wyoming .....	.3003
Guam .....	.0744
Puerto Rico .....	1.1734
Virgin Islands .....	.0378
American Samoa .....	.0616
Trust Territory of Pacific .....	.1530
<b>Total .....</b>	<b>100.00</b>

State	For fiscal year 1978	For each of the fiscal years 1979, 1980, 1981
Iowa .....	58,288,500	64,765,000
Kansas .....	39,613,500	44,015,000
Kentucky .....	65,781,000	73,090,000
Louisiana .....	56,812,500	63,125,000
Maine .....	33,727,500	37,475,000
Maryland .....	124,996,500	138,885,000
Massachusetts .....	132,939,000	147,710,000
Michigan .....	185,877,000	206,530,000
Minnesota .....	84,109,500	93,455,000
Mississippi .....	43,470,000	48,300,000
Missouri .....	112,306,500	124,785,000
Montana .....	15,624,000	17,360,000
Nebraska .....	24,772,500	27,525,000
Nevada .....	18,621,000	20,690,000
New Hampshire .....	39,645,000	44,050,000
New Jersey .....	160,717,500	178,575,000
New Mexico .....	17,185,500	19,095,000
New York .....	477,940,500	531,045,000
North Carolina .....	89,136,000	99,040,000
North Dakota .....	13,981,500	15,535,000
Ohio .....	290,947,500	323,275,000
Oklahoma .....	41,755,500	46,395,000
Oregon .....	58,383,000	64,870,000
Pennsylvania .....	196,272,000	218,080,000
Rhode Island .....	23,634,000	26,260,000
South Carolina .....	52,947,000	58,830,000
South Dakota .....	16,798,500	18,665,000
Tennessee .....	69,687,000	77,430,000
Texas .....	196,353,000	218,170,000
Utah .....	20,056,500	22,285,000
Vermont .....	17,302,500	19,225,000
Virginia .....	88,209,000	98,010,000
Washington .....	79,596,000	88,440,000
West Virginia .....	80,563,500	89,515,000
Wisconsin .....	87,763,500	97,515,000
Wyoming .....	13,513,500	15,015,000
Guam .....	3,348,000	3,720,000
Puerto Rico .....	52,803,000	58,670,000
Virgin Islands .....	1,701,000	1,890,000
American Samoa .....	2,772,000	3,080,000
Trust Territory of the Pacific Islands .....	6,885,000	7,650,000
<b>Total .....</b>	<b>4,500,000,000</b>	<b>5,000,000,000</b>

(b) Based on paragraph (a) of this section, and table 4 of the committee print, the following authorizations are allotted among the States subject to the limitations of paragraph (c) of this section:

State	For fiscal year 1978	For each of the fiscal years 1979, 1980, 1981
Alabama .....	\$57,789,000	\$64,210,000
Alaska .....	19,057,500	21,175,000
Arizona .....	34,906,500	38,785,000
Arkansas .....	33,808,500	37,565,000
California .....	357,804,000	397,560,000
Colorado .....	41,341,500	45,935,000
Connecticut .....	49,824,000	55,360,000
Delaware .....	17,982,000	19,980,000
District of Columbia .....	14,368,500	15,965,000
Florida .....	172,647,000	191,830,000
Georgia .....	87,381,000	97,090,000
Hawaii .....	35,676,000	39,640,000
Idaho .....	22,284,000	24,760,000
Illinois .....	233,743,500	259,715,000
Indiana .....	124,551,000	138,390,000

(c) The authorizations in paragraph (b) of this section depend on appropriation. Therefore, the Regional Administrator may not obligate any portion of any authorization for a fiscal year until a law is enacted appropriating part or all of the sums authorized for that fiscal year. If sums appropriated are less than the sums authorized for a fiscal year, EPA will apply the percentages in paragraph (a) of this section to distribute all appropriated sums among the States, and promptly will notify each State of its share. The Regional Administrator may not obligate more than the State's share of appropriated sums.

(d) If supplementary funds are appropriated in any fiscal year under section 205(e) of the Act to carry out the purposes of this paragraph, no State shall

**§ 35.910-9**

**40 CFR Ch. I (7-1-07 Edition)**

receive less than one-half of 1 percent of the total allotment among all States for that fiscal year, except that in the case of Guam, the Virgin Islands, American Samoa, and the Trust Territories not more than thirty-three one-hundredths of 1 percent of the total allotment shall be allotted to all four of those jurisdictions. If for any fiscal year the amount appropriated to carry out this paragraph is less than the full amount needed, the following States will share in any funds appropriated for the purposes of this paragraph in the following percentages, drawn from the note to table 3 of committee print numbered 95-30 of the Committee on Public Works and Transportation of the House of Representatives:

State	Percentage
Alaska	5.4449
Delaware	7.1459
District of Columbia	12.8612
Idaho	.3416
Montana	10.8755
Nevada	6.1352
New Mexico	8.4057
North Dakota	13.4733
South Dakota	9.0178
Utah	3.8648
Vermont	8.2206
Wyoming	14.2135
Total	100.0000

**§ 35.910-9 Allotment of Fiscal Year 1978 appropriation.**

(a) Public Law 95-240 appropriated \$4.5 billion. These allotments are available until expended but must be obligated by September 30, 1979. After that date unobligated balances will be reallocated under section 205(b) of the Act (see § 35.910-2(b)).

(b) These sums were allotted to the States as shown in § 35.910-8(b).

[43 FR 56200, Nov. 30, 1978]

**§ 35.910-10 Allotment of Fiscal Year 1979 appropriation.**

(a) Title II of Public Law 95-392 appropriated \$4.2 billion. These allotments are available until expended but must be obligated by September 30, 1980. After that date, unobligated balances will be reallocated under section 205(b) of the Act (see § 35.910-2(b)).

(b) The allotments were computed by applying the percentages in § 35.910-8(a) and (b) to the funds appropriated for

FY 1979 and rounding to the nearest hundred dollars.

(c) The \$4.2 billion are allotted as follows:

State	Allotments from funds appropriated under Pub. L. 95-392
Alabama	\$53,189,100
Alaska	20,709,000
Arizona	32,128,000
Arkansas	31,117,400
California	329,323,400
Colorado	38,050,800
Connecticut	45,858,100
Delaware	20,709,000
District of Columbia	20,709,000
Florida	158,904,600
Georgia	80,425,600
Hawaii	32,836,300
Idaho	20,709,000
Illinois	215,137,900
Indiana	114,637,000
Iowa	53,648,800
Kansas	36,460,300
Kentucky	60,545,000
Louisiana	52,290,300
Maine	31,042,900
Maryland	115,047,000
Massachusetts	122,357,300
Michigan	171,081,500
Minnesota	77,414,600
Mississippi	40,009,900
Missouri	103,367,100
Montana	20,709,000
Nebraska	22,800,700
Nevada	20,709,000
New Hampshire	36,489,300
New Jersey	147,924,700
New Mexico	20,709,000
New York	439,897,200
North Carolina	82,040,900
North Dakota	20,709,000
Ohio	267,788,600
Oklahoma	38,431,900
Oregon	53,735,800
Pennsylvania	180,649,100
Rhode Island	21,752,800
South Carolina	48,732,500
South Dakota	20,709,000
Tennessee	64,140,000
Texas	180,723,600
Utah	20,709,000
Vermont	20,709,000
Virginia	81,187,700
Washington	73,260,300
West Virginia	74,150,800
Wisconsin	80,777,700
Wyoming	20,709,000
American Samoa	2,551,400
Guam	3,081,500
Northern Mariana Islands	570,300
Puerto Rico	48,600,000
Trust Territory of Pacific	5,766,700
Virgin Islands	1,565,600
Total	4,200,000,000

[43 FR 56201, Nov. 30, 1978, as amended at 44 FR 37595, June 27, 1979; 44 FR 39339, July 5, 1979]