

occurs after November 15, 1995, EPA must promulgate, administer and enforce a Federal permits program for the State of Colorado upon interim approval expiration.

Requirements for approval, specified in 40 CFR 70.4(b), encompass section 112(l)(5) requirements for approval of a program for delegation of section 112 standards as promulgated by EPA as they apply to part 70 sources. Section 112(l)(5) requires that the State's program contain adequate authorities, adequate resources for implementation, and an expeditious compliance schedule, which are also requirements under part 70. Therefore, the EPA is also promulgating approval under section 112(l)(5) and 40 CFR 63.91 of the State's program for receiving delegation of section 112 standards that are unchanged from Federal standards as promulgated. This program for delegations only applies to sources covered by the part 70 PROGRAM.

**III. Administrative Requirements**

**A. Docket**

Copies of the State's submittal and other information relied upon for the final interim approval, including public comments received and reviewed by EPA on the proposal, are maintained in a docket at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this final interim approval. The docket is available for public inspection at the location listed under the ADDRESSES section of this document.

**B. Executive Order 12866**

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

**C. Regulatory Flexibility Act**

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

**List of Subjects in 40 CFR Part 70**

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: January 13, 1995.

**Jack McGraw,**  
*Acting Regional Administrator.*

Part 70, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

**PART 70—[AMENDED]**

1. The authority citation for part 70 continues to read as follows:

**Authority:** 42 U.S.C. 7401, *et seq.*

2. Appendix A to part 70 is amended by adding the entry for Colorado in alphabetical order to read as follows:

**Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs**

\* \* \* \* \*

*Colorado*

(a) Colorado Department Health—Air Pollution Control Division: submitted on November 5, 1993; effective on [date 30 days after date of publication]; interim approval expires February 24, 1997.

(b) [Reserved]

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[FR Doc. 95-1736 Filed 1-23-95; 8:45 am]

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**40 CFR Part 300**

[FRL-5143-3]

**National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of deletion of the Suffolk City landfill site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Suffolk City Landfill in Suffolk, Virginia, from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA). EPA has determined that all appropriate CERCLA response actions have been implemented and that no further CERCLA response actions are appropriate. Moreover, EPA has determined that response actions conducted at the Site to date have been protective of public health, welfare, and the environment. The Commonwealth of Virginia has concurred with these determinations.

**EFFECTIVE DATE:** January 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ronnie M. Davis, US EPA Region 3, 841 Chestnut Building, Philadelphia, PA 19107; (215) 597-1727.

**SUPPLEMENTARY INFORMATION:** The Site to be deleted from the NPL is the "Suffolk City Landfill Site," Suffolk City, Virginia. A Notice of Intent to Delete for this Site was published on October 20, 1994 (59 FR 52949). The initial closing date for public comment was November 21, 1994. EPA extended the comment period through December 8, 1994. EPA received no comments during the comment period.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as a list of the most serious of those sites. Sites on the NPL may be the subject of remedial response actions financed using the Hazardous Substances Response Trust Fund (Fund). Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.424(e)(3) of the NCP, 40 CFR 300.424(e)(3), provides that in the event of a significant release from a site deleted from the NPL, the site shall be restored to the NPL without application of the Hazard Ranking System, one of the means by which a site may be promulgated to the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response actions.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Hazardous waste.

Dated: January 11, 1995.

**Peter H. Kostmayer,**  
*Regional Administrator, Environmental Protection Agency, Region III.*

40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

**Authority:** 42 U.S.C. 9601-9657; 33 U.S.C. 1321(c)(2); E.O. 11735, 38 FR 21243; E.O. 12580, 52 FR 2923; E.O. 12777, 56 FR 54747.

**Appendix B—[Amended]**

2. Table 1 of appendix B is amended by removing the site for the Suffolk City Landfill Site, Suffolk City, Virginia.

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