

these rules into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

EFFECTIVE DATE: This action is effective on March 17, 1995.

ADDRESSES: Copies of the rules and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rules are available for inspection at the following locations:

Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, S.W., Washington, D.C. 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.

Kern County Air Pollution Control District, 2700 "M" Street, Suite 290, Bakersfield, CA 93301.

Monterey Bay Unified Air Pollution Control District, 24580 Silvercloud Court, Monterey, CA 93940.

FOR FURTHER INFORMATION CONTACT: Mae Wang, Rulemaking Section, Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1200.

SUPPLEMENTARY INFORMATION:

Background

On October 20, 1994 in 59 FR 52947, EPA proposed to approve the following rules into the California SIP: KCAPCD Rule 410.3, Organic Solvent Degreasing Operations, and Rule 412, Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants. Both Rule 410.3 and Rule 412 were adopted by the KCAPCD on May 6, 1991 and were submitted by the California Air Resources Board (CARB) to EPA on May 30, 1991. The following rules from the MBUAPCD were proposed for approval on October 21, 1994 in 59 FR 53128: Rule 417, Storage of Organic Liquids, Rule 418, Transfer of Gasoline into Stationary Storage Containers, and Rule 427, Steam Drive Crude Oil Production Wells. These rules were adopted by the MBUAPCD on August 25, 1993, and were submitted by the CARB to EPA on November 18, 1993. A detailed discussion of the background for each of the above rules and nonattainment areas is provided in

the Notices of Proposed Rulemaking (NPRMs) cited above.

EPA has evaluated all of the above rules for consistency with the requirements of the CAA and EPA regulations and EPA interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the NPRMs cited above. EPA has found that the rules meet the applicable EPA requirements. A detailed discussion of the rule provisions and evaluations has been provided in 59 FR 52947 and 59 FR 53128, and in technical support documents (TSDs) available at EPA's Region IX office.

Response to Public Comments

A 30-day public comment period was provided in 59 FR 52947 and 59 FR 53128. EPA did not receive any comments in response to these NPRMs.

EPA Action

EPA is finalizing action to approve the above rules for inclusion into the California SIP. EPA is approving the submittal under section 110(k)(3) as meeting the requirements of section 110(a) and Part D of the CAA. This approval action will incorporate these rules into the Federally approved SIP. The intended effect of approving these rules is to regulate emissions of VOCs in accordance with the requirements of the CAA.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Regulatory Process

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

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: January 11, 1995.

Felicia Marcus,

Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c) (185)(i)(A)(7) and (194)(i)(F) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *
(185) * * *
(i) * * *
(A) * * *

(7) Rule 410.3 and Rule 412, adopted on May 6, 1991.

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(194) * * *
(i) * * *

(F) Monterey Bay Unified Air Pollution Control District

(J) Rule 417, Rule 418, and Rule 427, adopted on August 25, 1993.

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[FR Doc. 95-3682 Filed 2-14-95; 8:45 am]

BILLING CODE 6560-50-W

40 CFR Part 52

[PA37-1-6370a; FRL-5144-2]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; SO₂; Conewango Township, Warren County Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision provides for, and demonstrates, the attainment of the national ambient air quality standards (NAAQS) for sulfur oxides in the Conewango Township, Warren County nonattainment area. The implementation plan was submitted by Pennsylvania to satisfy the requirements of the Clean Air Act (CAA) pertaining to nonattainment areas. This action is being taken under section 110 of the Clean Air Act.

DATES: This action will become effective April 17, 1995 unless notice is received

on or before March 17, 1995 that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Comments may be mailed to Thomas J. Maslany, Director, Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and, Pennsylvania Department of Environmental Resources Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: David J. Campbell, Air & Radiation Programs Branch (3AT11), U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, phone: 215 597-9781.

SUPPLEMENTARY INFORMATION: On December 9, 1993, the Commonwealth of Pennsylvania submitted a revision to its State implementation plan (SIP) for sulfur oxides, measured as sulfur dioxide (SO₂). The revision pertains to the SO₂ nonattainment area in Conewango Township, Warren County, Pennsylvania.

Background

The Clean Air Act, as amended in 1977, required EPA to establish the attainment status of areas with respect to the national ambient air quality standards (NAAQS). On March 3, 1978 (43 FR 8962), as amended on September 12, 1978 (43 FR 40502), EPA published the initial designations for each State in Region III.

As part of EPA Region III's initial designations, Conewango Township, Warren County, Pennsylvania was designated as nonattainment for the primary NAAQS for sulfur oxides, measured as sulfur dioxide (SO₂). EPA acted on the recommendation of the Commonwealth of Pennsylvania to designate this area as nonattainment for SO₂. The basis of the recommendation was air quality dispersion modeling that predicted violations of the primary NAAQS for SO₂ in Conewango Township.

The Clean Air Act, as amended in 1990, provided that any area designated with respect to the NAAQS, as in effect immediately before November 15, 1990, shall retain that designation "by operation of law" (section 107(d)(1)(C)). Furthermore, States with existing nonattainment areas for the primary NAAQS for SO₂ that lack fully approved SIP's, including part D nonattainment area plans, must submit implementation plans for those areas (section 191(b)). These plans must meet the requirements of subpart 1 of part D and must be submitted to EPA within 18 months of enactment of the 1990 amendments (i.e., by May 15, 1992.) Thus, a SIP and part D plan were due for the Conewango Township, Warren County, Pennsylvania by May 15, 1992.

On June 15, 1992, Mr. Stanley L. Laskowski, Acting Regional Administrator, EPA Region III notified Mr. Robert P. Casey, Governor, Commonwealth of Pennsylvania that Pennsylvania had failed to submit the required SIP revision for Conewango Township, Warren County. The letter constituted an official finding of failure to submit pursuant to section 179(a)(1) of the 1990 Amendments. According to section 179, Pennsylvania had 18 months in which to correct the identified deficiency or face one of the sanctions detailed under section 179(b). Therefore, the Commonwealth had until December 15, 1993 to submit a SIP revision or face the imposition of sanctions.

On December 9, 1993, the Commonwealth of Pennsylvania submitted a revision to its SIP for the Conewango Township SO₂ nonattainment area. The revision provides for the attainment of the NAAQS for SO₂ by November 15, 1995, as required by section 192(a). This submittal was determined to be a "complete" submittal as discussed below. The submittal of a complete SIP revision satisfied the deficiency identified under section 179(a)(1), thus halting the sanctions process.

Summary of SIP Revision

On December 9, 1993, Mr. Arthur A. Davis, Secretary, Pennsylvania Department of Environmental Resources submitted to Mr. Stanley L. Laskowski, Acting Regional Administrator, EPA Region III a SIP revision for the Conewango Township nonattainment area. The SIP revision consists primarily of a Consent Order and Agreement (hereinafter, the Agreement) entered into by and between the Commonwealth of Pennsylvania, Department of Environmental Resources and Pennsylvania Electric Company

(hereinafter, Penelec) on April 1, 1993. The Agreement affects Penelec's Warren Generating Station, the principle source of SO₂ emissions in the nonattainment area. The Agreement establishes interim and final emission limits for the Warren Generating Station. The final allowable emission limit will protect the NAAQS for SO₂ in Conewango Township. The emission limit is supported by a modeling analyses and attainment demonstration, the contents of which are evaluated below.

Evaluation of State Submittal

The Clean Air Act requires States to submit implementation plans that indicate how each State intends to attain and maintain the NAAQS. The 1977 Amendments established specific requirements for implementation plans in nonattainment areas in part D, sections 171-178. With respect to SO₂, the 1990 Amendments did not change these requirements in any significant way and guidance in existence prior to their enactment generally remains valid. On April 16, 1992 (57 FR 13498), EPA issued "General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990" describing EPA's preliminary views on how it intends to interpret various provisions of title I, primarily those concerning revisions required for nonattainment areas.

In order to approve the SIP revision, all of the part D requirements must be evaluated and they must ensure that: (1) The revised allowable emission limitation demonstrates attainment and maintenance of the NAAQS for SO₂ in the nonattainment area; (2) the emission limitation is clearly enforceable; and (3) that all applicable procedural and substantive requirements of 40 CFR part 51 are met. The following is an evaluation of the part D requirements as described in the "General Preamble"; a more detailed evaluation is provided in a Technical Support Document available upon request from the Regional EPA office listed in the **ADDRESSES** section of this document:

1. Reasonably Available Control Technology (RACT)

Pennsylvania's SIP revision provides for reasonably available control technology (RACT). The SIP revision indicates that SO₂ emissions are controlled at the Warren Generating Station through fuel specification. The final allowable SO₂ emission limitation for the Warren Generating Station as established in the Agreement is 1.0 pounds SO₂ per million Btu (1.0 lb/mmBtu) heat input or a total hourly emission of 1280 pounds of SO₂,

whichever is less. This limit is to be met beginning November 15, 1995. The SIP limit is to be met beginning November 15, 1995. The SIP revision provides a demonstration that this limit will attain the NAAQS in the nonattainment area. Therefore, Pennsylvania has ensured that reasonably available control technology, fuel specification, is required and that the control technology provides for achievement of the NAAQS by the statutory attainment date, which is November 15, 1995.

2. Reasonable Further Progress (RFP)

Pennsylvania's SIP revision provides for reasonable further progress (RFP). The SIP revision provides for RFP through interim emission limitations established in the Agreement. The Agreement specifies that the Warren Generating Station shall achieve a daily average emission rate not to exceed 3.0 pounds of SO₂ per million Btu (3.0 lb/mmBtu) heat input beginning January 1, 1993. An allowable emission rate of 2.5 lb/mmBtu is imposed on the Station beginning November 15, 1994. These emission limits clearly adhere to an ambitious compliance plan which will provide for attainment by the applicable date.

3. Contingency Measures

Pennsylvania's SIP revision provides for adequate contingency measures. The SIP revision requires the collection of continuous emission monitoring (CEM) data at the Warren Generating Station in accordance with the previously federally-approved procedures established in 25 Pa. Code § 123.25 "Monitoring Requirements for Sulfur Compound Emissions from Combustion Units" and subchapter C "Requirements for Continuous In-Stack Monitoring for Stationary Sources" (48 FR 2320). The collection of CEM data and the ambient air quality monitoring network currently operating in and around the nonattainment area provides a comprehensive program to identify violations of the NAAQS. The existing Agreement may be modified, as agreed to by both parties, to require further reductions as deemed necessary to achieve attainment of the NAAQS.

4. Stack Height Issues and Remand

Pennsylvania has chose to address stack height issues upon the resolution of the remand. The Warren Generating Station merges the exhaust from its four (4) boilers into one stack as part of its original design and operation in 1948. This constitutes dispersion credit for sources originally designed and constructed with merged or multiflue stacks (40 CFR 51.100(hh)(2)(ii)(A)).

These sources had originally been exempted under the stack height rules but that provision was remanded to EPA for reconsideration. Pennsylvania does not address this issue in the SIP revision. Therefore, it will have to revise its rules, including any affected emission limitations, to conform with resolution of the remand.

5. Existing Modeling Protocols

Pennsylvania's SIP revision is supported by a modeling demonstration using regulatory air dispersion models as defined by EPA's "Guideline on Air Quality Models (Revised)," July 1986. However, the Agreement allows for the completion of a model evaluation and equivalency study by Penelec. Penelec will perform a study comparing and evaluating the predictive results of the MPTER/RTDM (Multiple Point Gaussian Dispersion Algorithm with Terrain Adjustment (MPTER) and Rough Terrain Diffusion Model (RTDM), respectively) and LAPPES (Large Area Power Plant Effluent Study) models. The protocol for this study has been approved by Pennsylvania and EPA. The study is currently underway. Upon satisfactory completion of the study, Pennsylvania has indicated that it will revise its SIP, as appropriate, in accordance with the results of the study. Until such time as any future revised SIP is approved by EPA, the limits established by the Agreement and this SIP revision will remain in effect.

6. Test Methods and Averaging Times

Pennsylvania's SIP provides for the use of continuous emissions monitoring (CEM) as the means of compliance. The revision stipulates an hourly emission limit and requires the use of a Pennsylvania-approved method for calculating hourly emissions. Pennsylvania's federally approved CEM regulations (25 Pa. Code § 123.25 and subchapter C) define the general requirements for CEM operation and references the CEM guidelines in "Standards of Performance for New Stationary Sources," 40 CFR part 60 and "Minimum Source Monitoring Requirements," 40 CFR part 51 appendix P. An hourly emission limit for the source is shorter than the time period for the NAAQS for which the area is nonattainment (i.e., the 24-hour primary standard). The required limit is also adequate to determine compliance with the 3-hour secondary standard.

7. Emission Inventory

Pennsylvania's SIP revision provides an adequate actual emissions inventory from all relevant sources of SO₂ in the nonattainment area. Pennsylvania has

provided a current, actual emissions data and stack parameter information for the Warren Generating Station and various emission sources at the nearby United Refining facility.

8. Attainment Demonstration

Pennsylvania's SIP revision provides an adequate attainment demonstration, including appropriate air quality dispersion modeling. 40 CFR 51.112 requires nonattainment plans to include a demonstration of the adequacy of the plan's control strategy. The Commonwealth's demonstration employs the applicable air quality models, data bases, and other requirements specified in appendix W of 40 CFR part 51 ("Guideline on Air Quality Models (Revised)" (1986), supplement A (1987), and supplement B (1993) (hereinafter, the Guideline)). This demonstration includes the following information: model selection and descriptions; model application and assumptions made during application of selected models; receptor grids; meteorological data; ambient air monitoring data and background concentration; model source input; and modeling results.

Model Descriptions—The air quality dispersion modeling analysis performed for this demonstration employed the MPTER and RTDM Guideline models. The Guideline provides a description of the models along with guidance on their application. MPTER is limited to predicting concentrations at elevations below stack height. In this analysis, the MPTER code was altered to accommodate the algorithm used in Industrial Source Complex Model (ISC2). The ISC2 algorithm was added to address the requirements of the interim terrain concept; the assessment of receptors between stack height and plume height. RTDM is employed to calculate concentrations at receptors whose elevations are greater than or equal to plume height.

Model Application—MPTER and RTDM were both applied to the modeling domain in accordance with the recommendations of the Guideline. The default mode of RTDM was employed. Likewise, the regulatory mode of MPTER was used with the applicable restrictions for complex terrain.

Receptor Grids—Three sets of receptor grids, with a total of 725 receptors were used for this demonstration. One grid was located in Conewango Township, the nonattainment area. The other two grids were located to the south and east of the Township. These grids were developed to adequately assess the impacts of the

Warren Generating Station as well as the nearby United Refinery facility, the other major source of SO₂ in the region.

Meteorological Data—The modeling analysis used one year of on-site and local meteorological data. Two towers, an 150-meter tower and a 10-meter tower, collected wind directions and wind speeds, stability information, and temperature. The 150-meter tower is located on-site at the Penelec facility. The 10-meter tower is located in nearby, elevated terrain and was used primarily for determination of the stability class and as a substitute data site. Data was recovered at a greater than 90 percent rate and appropriate data substitution procedures were employed.

Background Concentration—The study uses monitored air quality data for determining that portion of the background concentrations attributable to sources other than those nearby that are to be explicitly modeled. Seven SO₂ monitoring sites in and around the nonattainment area were available for evaluation. The Guideline procedures for determining background concentrations for multiple-source areas were used to select the most representative monitor.

Source Inputs—The Warren Generating Station was modeled using an emission rate of 1.0 pounds per million BTU, the revised allowable limit established in the Consent Order and Agreement. Each of the other input parameters such as stack height, stack temperature, etc. were included in the demonstration. United Refining Company's facility was modeled using its current allowable operating conditions. Similar input parameters were provided for the United Refining facility.

Modeling Results—The results of the modeling analysis indicate that no exceedances of the NAAQS for SO₂ are expected in the Conewango Township nonattainment area when the Warren Generating Station is operating at an emission rate of 1.0 lb/mmBTU. The predicted high-second-high concentrations for the 3-hour (1,300 µg/m³), 24-hour [365 µg/m³], and annual arithmetic mean (80 µg/m³) ambient air quality standards are 1,038 µg/m³, 184 µg/m³, and 23.2 µg/m³ respectively. This demonstrates that the proposed SIP revision will be protective of the NAAQS in the Conewango Township nonattainment area for SO₂ for each NAAQS averaging period.

EPA's review of this material indicates that Pennsylvania's SIP revision provides for the attainment of the NAAQS for SO₂ in Conewango Township, Warren County and satisfies the requirements of part D of the Clean

Air Act. The revision is supported by a modeling analysis which clearly demonstrates the adequacy of emission limits in providing for the attainment and maintenance of NAAQS for SO₂ in and around the nonattainment area. The Consent Order and Agreement between Penelec and Pennsylvania at the center of the SIP revision establishes enforceable SO₂ emission limits on the Warren Generating Station. The submittal clearly fulfills the procedural and substantive requirements of 40 CFR part 51. Therefore, EPA is approving the Pennsylvania SIP revision for the Conewango Township, Warren County SO₂ nonattainment area, which was submitted on December 9, 1993.

EPA is approving this SIP revision without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective April 17, 1995 unless, by March 17, 1995, adverse or critical comments are received.

If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on April 17, 1995.

Final Action

EPA is approving the Pennsylvania SIP revision for the Conewango Township, Warren County SO₂ nonattainment area.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant

impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIP's on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

This action has been classified as a Table 2 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993 memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The OMB has exempted this regulatory action from E.O. 12866 review.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 17, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action to approve a revision to Pennsylvania's SIP for SO₂ in Conewango Township, Warren County may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Sulfur Oxides.

Dated: November 18, 1994.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart NN—Pennsylvania

2. Section 52.2020 is amended by adding paragraphs (c)(93) to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(93) Revisions to the Pennsylvania implementation plan for sulfur dioxide (SO₂) in Conewango Township, Warren County submitted on December 9, 1993 by Pennsylvania Department of Environmental Resources:

(i) Incorporation by reference.

(A) Letter of December 9, 1993 from Mr. Arthur A. Davis, Secretary, Pennsylvania Department of Environmental Resources transmitting a SIP revision for the Conewango Township, Warren County SO₂ nonattainment area.

(B) A Consent Order and Agreement entered into by and between the Commonwealth of Pennsylvania, Department of Environmental Resources and Pennsylvania Electric Company on April 1, 1993 and an attainment demonstration. The Agreement was effective on April 1, 1993.

(ii) Additional material.

(A) Remainder of Pennsylvania's December 9, 1993 submittal.

[FR Doc. 95–3680 Filed 2–14–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5153–9]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Olmsted County Sanitary Landfill Superfund Site from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Olmsted County Sanitary Landfill site in Minnesota from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Minnesota have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further response by responsible parties is appropriate. Moreover, EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: February 15, 1995.

FOR FURTHER INFORMATION CONTACT:

Ramon Torres at (312) 886–3010 (HSRM–6J), Remedial Project Manager or Gladys Beard at (312) 886–7253, Associate Remedial Project Manager, Office of Superfund, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: Rochester Public Library, 11 First St. SE. Rochester, MN.

Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. Address for the Regional Docket Office is Jan Pfundheller (H–7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353–5821.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Olmsted County Sanitary Landfill, Minnesota.

A Notice of Intent to Delete for this site was published October 13, 1994 (59 FR 51933). The closing date for comments on the Notice of Intent to Delete was November 12, 1994. EPA received no comments and therefore has not prepared a Responsiveness Summary.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. 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 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations,

Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: January 19, 1995.

Michelle D. Jordan,

Acting Regional Administrator, USEPA, Region V.

40 CFR part 300 is amended as follows:

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. 12777, 56 FR 54757, 3 CFR, 1991 Comp.; p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.; p. 193.

Appendix B—[Amended]

2. Table 1 of appendix B to part 300 is amended by removing the Site “Olmsted County Sanitary Landfill, Minnesota”.

[FR Doc. 95–3605 Filed 2–14–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5154–1]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of the Boise Cascade/Onan Corp./Medtronics, Inc. Site from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Boise Cascade/Onan Corp./Medtronics, Inc. site in Minnesota from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Minnesota have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further response by responsible parties is appropriate. Moreover, EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: February 15, 1995.

FOR FURTHER INFORMATION CONTACT:

Gladys Beard at (312) 886–7253, Associate Remedial Project Manager, Office of Superfund, U.S. EPA—Region