satisfy the requirements set forth in the Clean Air Act Amendments at sections 112(l)(5)(A), (B), and (C).

(B) Two letters from Missouri to EPA Region VII dated October 3, 1994, and February 10, 1995, supplementing the November 7, 1994, letter and clarifying that Missouri does have adequate authority to limit potential-to-emit of hazardous air pollutants through the state operating permit program.

* * * * *

3. Section 52.1323 is amended by adding paragraph (i) to read as follows:

§ 52.1323 Approval status.

* * * * *

(i) Emission limitations and related provisions which are established in Missouri's operation permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the permit, permit approval procedures, or permit requirements which do not conform with the operating permit program requirements or the requirements of EPA's underlying regulations.

[FR Doc. 95–23719 Filed 9–22–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Part 70

[FL–95–01; FRL–5302–5]

Clean Air Act Final Interim Approval of Operating Permit Program; State of Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final interim approval.

SUMMARY: EPA is promulgating interim approval of the operating permit program submitted by the Florida Department of Environmental Protection for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources, and to certain other sources.

EFFECTIVE DATE: October 25, 1995.

ADDRESSES: Copies of Florida's submittal and the other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency, Region 4, 345 Courtland Street NE., Atlanta, GA 30365. Interested persons wanting to examine these documents, contained in EPA docket number FL–95–01, should make an appointment at least 24 hours before the visiting day.

FOR FURTHER INFORMATION CONTACT: Kim Gates, Title V Program Development Team, Air Programs Branch, Air Pesticides & Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 345 Courtland Street NE., Atlanta, GA 30365, (404) 347–3555, Ext. 4146.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

Title V of the 1990 Clean Air Act Amendments (sections 501–507 of the Clean Air Act (the Act) and the implementing regulations at 40 Code of Federal Regulations (CFR) part 70 require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within one year after receiving the submittal. If the State's submission is materially changed during the one-year review period, 40 CFR 70.4(e)(2) allows EPA to extend the review period for no more than one year following receipt of the additional materials. EPA received Florida's title V operating permit program submittal on November 16, 1993. The State provided EPA with additional materials in supplemental submittals dated July 8, 1994, November 28, 1994, December 21, 1994, December 22, 1994, and January 11, 1995. Because the supplements materially changed the State's title V program submittal, EPA extended the one-year review period.

EPA reviews state operating permit programs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to two years. If EPA has not fully approved a program by November 15, 1995, or by the end of an interim program, it must establish and implement a Federal operating permit program for that state.

On June 21, 1995, EPA proposed interim approval of Florida's operating permit program. *See* 60 FR 32292. The June 21, 1995 notice also proposed approval of Florida's interim mechanism for implementing section 112(g) and for delegation of section 112 standards and programs that are unchanged from the Federal rules as promulgated. Public comment was solicited on these proposed actions. In this notice, EPA is responding to the comments received and taking final action to promulgate interim approval of Florida's operating permit program.

II. Final Action and Implications

A. Analysis of State Submission and Response to Public Comments

On June 21, 1995, EPA proposed interim approval of Florida's title V operating permit program. *See* 60 FR 32292. The program elements discussed in the proposal notice are unchanged from the proposal notice and continue to substantially meet the requirements of title V and part 70. For detailed information on EPA's analysis of Florida's program submittal, please refer to the Technical Support Document (TSD) contained in the docket at the address noted above.

EPA received three letters during the 30-day public comment period held on the proposed interim approval of Florida's program. One respondent requested a 90-day extension of the public comment period based on the guidance memorandum entitled ''White Paper for Streamlined Development of Part 70 Permit Applications'' issued by EPA on July 10, 1995. The respondent suggested that the White Paper memorandum provides more flexibility for insignificant activities than allowed for in part 70 and in the proposal notice. EPA denied the extension request because the policies set forth in the White Paper memorandum are intended solely as guidance and do not change the current part 70 requirements.

EPA received two comment letters on the proposed interim approval of Florida's program, one from an industry commenter and the other from the State. In response to the comments, several of the conditions for full program approval discussed in the proposal notice are being revised. The changes are discussed below along with the conditions for full approval that remain unchanged.

1. Definition of ''Major Source''

Florida's definition of ''major source'' in the original program submittal (see Rule 62–213.200(19)(a), F.A.C.) implied that emissions of criteria pollutants from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station would not be aggregated with emissions of criteria pollutants from other similar units. Since Florida's definition of ''major source'' conflicted with the part 70 definition, revision of the State's definition was identified in the proposal notice as a condition of full program approval.

In its comment letter, the State indicated that the definition of ''major source'' in Rule 62–213.200(19)(a), F.A.C., has been amended to clarify that

the non-aggregation in the described situations applies only to hazardous air pollutants (HAPs). Florida's amended rule became effective on April 18, 1995, and was submitted to EPA as a formal supplement to the title V operating permit program on August 4, 1995. Therefore, Florida has satisfied this condition for full program approval.

2. Timely Application for Permit Renewal

The State's original program, in Rule 62–4.090, F.A.C., required renewal applications to be submitted 60 days prior to expiration of existing operating permits. This requirement conflicted with the requirement of 40 CFR 70.5(a)(1)(iii) and the State's timeframe did not ensure that a permit would not expire prior to renewal. Revision of Rule 62–4.090, F.A.C., to require submittal of permit renewal applications six months prior to expiration of existing title V permits was identified in the proposal notice as a condition of full program approval.

In its comment letter, the State indicated that rulemaking has been completed to address the requirement in 40 CFR 70.5(a)(1)(iii) for submittal of renewal applications six months prior to the expiration of existing operating permits. The State's amended Rule 62–4.090, F.A.C., became effective on April 18, 1995 and was submitted to EPA as a formal supplement to the title V operating permit program on August 4, 1995. Therefore, Florida has satisfied this condition for full program approval.

3. Insignificant Activities Provisions

(a) Emissions Thresholds for Reporting

Rule 62–213.420(3)(c), F.A.C., contains reporting requirements for the emissions of criteria pollutants at title V sources. The State has indicated that the emissions thresholds in Rule 62–213.420(3)(c)2., F.A.C., which trigger the reporting requirements are based on the presumption that the requirements need to be stringent enough to identify applicable requirements and to suffice for inventorying emissions to evaluate the impact on ambient air concentrations. However, the aggregate threshold of 50 tons per year (tpy) for carbon monoxide appears to be inconsistent with the State's objective. Since the aggregate threshold of 50 tpy must be met prior to the reporting of carbon monoxide in the permit application, the potential exists for carbon monoxide to be inappropriately excluded due to miscalculations.

Therefore, as a condition of full program approval, the State must provide EPA with an acceptable justification for establishing an aggregate emissions threshold of 50 tpy for the triggering of the carbon monoxide reporting requirements. Otherwise, Florida must establish carbon monoxide emissions thresholds that are consistent with the State's emissions thresholds for particulates (PM–10), sulfur dioxide, nitrogen oxides, and volatile organic compounds.

Rule 62–213.420(3)(c)3.b., F.A.C., provides for the reporting of HAPs when a title V source emits or has the potential to emit 8 tpy or more of any single HAP, or 20 tpy or more of any combination of HAPs. Once these thresholds have been met, emissions are identified and reported for each emissions unit with the potential to emit 1 tpy of any individual HAP. All fugitive emissions not associated with any specific emissions units are also reportable when such emissions exceed 1 tpy of any individual HAP.

Since insignificant emissions levels are reviewed relative to threshold levels for determining major source status, as well as levels at which applicable requirements are triggered, EPA requested in the proposal notice that Florida revise the reporting thresholds for HAPs emissions as a condition of full program approval. EPA suggested HAPs emissions thresholds of the lesser of 1000 lbs/year or section 112(g) de minimis levels.

Two commenters responded to EPA's request for revision of the State's HAPs reporting thresholds. The industry commenter stated that the emissions thresholds requested by EPA contradict the White Paper guidance memorandum because the more stringent thresholds would require permit applicants to develop detailed tpy estimates when reporting HAP emissions or when classifying insignificant activities, even for sources identified as major and for emissions units that have no applicable requirements. The industry commenter emphasized that requiring detailed tpy emission estimates for emissions units that have no applicable requirements is contrary to the reporting guidelines presented in the White Paper memorandum. The State, in its comment letter, also expressed concern that making the HAPs reporting thresholds more stringent is contradictory to EPA's goal of streamlining and simplifying the permit application process.

EPA would like to point out that, as a general matter, the flexibility explained in the White Paper memorandum is in addition to, and does not necessarily depend upon, a State's insignificant activities provisions. However, in the case of Florida's program, the State has established detailed reporting criteria which complicate this interaction and give some validity to industry's comments. On further reflection, EPA believes that it may have been overly prescriptive in requiring the State to revise its levels for emissions reporting, which appear to function separately from its insignificant activities provisions, and that an alternative pathway exists in this case for full program approval.

Accordingly, EPA is revising the condition for full approval to require Florida to add language to the applicability provisions in Rule 62–213.400, F.A.C., to ensure that (1) Applications do not omit information needed to determine or impose applicable requirements (as defined in Rule 62–213.200(6), F.A.C.); (2) insignificant activities or emissions units will not be exempted from the determination of whether a source is major; and (3) emissions thresholds for individual activities or units that are exempted will not exceed 5 tpy for regulated air pollutants, and the lesser of 1000 pounds per year or section 112(g) de minimis levels for HAPs or different thresholds that the State demonstrates are insignificant.

(b) Specific Exemptions

Rule 62–210.300(3), F.A.C., exempts specific facilities, emissions units, or pollutant-emitting activities from the title V permitting process. As a condition of full approval, the State must revise Rule 62–210.300(3), F.A.C., to provide that (1) Applications do not omit information needed to determine or impose applicable requirements (as defined in Rule 62–213.200(6), F.A.C.); (2) insignificant activities or emissions units will not be exempted from the determination of whether a source is major; and (3) emissions thresholds for individual activities or units that are exempted will not exceed 5 tpy for regulated air pollutants, and the lesser of 1000 pounds per year or section 112(g) de minimis levels for HAPs or different thresholds that the State demonstrates are insignificant.

In addition, several of the specific exemptions in Rule 62–210.300(3), F.A.C., must either be removed from the rule or revised as a condition of full approval. Specifically, Rule 62–210.300(3)(a), F.A.C., exempts ''(s)team and hot water generating units located within a single facility and having a total heat input, individually or collectively, equaling 50 million BTU/hr or less, and fired exclusively by natural gas except for periods of natural gas curtailment during which fuel oil

containing no more than one percent sulfur is fired * * *'' However, during the periods fuel oil is fired, these sources could potentially emit sulfur dioxide in excess of major source thresholds. Since the potential emissions from these sources would not be ''insignificant,'' this exemption must be removed from Rule 62–210.300(3), F.A.C., as a condition of full approval.

Rule 62–210.300(3)(r), F.A.C., exempts ''[p]erchloroethylene dry cleaning facilities with a solvent consumption of less than 1,475 gallons per year.'' However, at the annual consumption rate of 1,475 gallons of perchloroethylene, these facilities could potentially emit over 8 tpy of perchloroethylene. Since the potential HAPs emissions from these sources is not ''insignificant,'' this exemption must be removed from Rule 62–210.300(3), F.A.C., as a condition of full approval.

Rule 62–210.300(3)(u), F.A.C., exempts ''[e]mergency electrical generators, heating units, and general purpose diesel engines operating no more than 400 hours per year . . .'' These sources could potentially have emissions in excess of major source thresholds, depending on the fuel used and the unit's size. Since the potential emissions from these sources would not be ''insignificant,'' this exemption must be removed from Rule 62–210.300(3), F.A.C., as a condition of full approval.

Rule 62–210.300(3)(x), F.A.C., exempts ''[p]hosphogypsum disposal areas and cooling ponds.'' This exemption potentially includes phosphogypsum stacks, which emit radon and are subject to the radionuclide National Emissions Standards for Hazardous Air Pollutants (NESHAPS) found in 40 CFR part 61, subpart R. Therefore, as a condition of full approval, this exemption must be revised to exclude phosphogypsum stacks.

(d) Case-by-Case Exemptions

Rule 62–4.040(1)(b), F.A.C., allows Florida to determine insignificant activities on a case-by-case basis during the permitting process. As a condition of full approval, the State must revise Rule 62–4.040(1)(b), F.A.C., to provide that (1) Applications do not omit information needed to determine or impose applicable requirements (as defined in Rule 62–213.200(6), F.A.C.); (2) insignificant activities or emissions units will not be exempted from the determination of whether a source is major; and (3) emissions thresholds for individual activities or units that are exempted will not exceed 5 tpy for regulated air pollutants, and the lesser of 1000 pounds per year or section 112(g) de minimis levels for HAPs or different thresholds that the State demonstrates are insignificant.

4. Permit Reopenings Provisions

The regulations in the State's program do not provide for permit reopenings for cause consistent with 40 CFR 70.7(f)(1)(i), (iii), and (iv). As a condition of full program approval, the State must provide in its regulations that: (1) If a permit is reopened and revised because additional applicable requirements become applicable to a major source with a remaining permit term of 3 or more years, such a reopening shall be completed within 18 months after promulgation of the applicable requirement; (2) a permit shall be reopened and revised if EPA or the State determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; and (3) a permit shall be reopened if EPA or the State determine that the permit must be revised or revoked to assure compliance with the applicable requirements.

B. Final Action

1. Title V Operating Permit Program

EPA is promulgating interim approval of the operating permit program submitted by the State of Florida on November 16, 1993, and supplemented on July 8, 1994, November 28, 1994, December 21, 1994, December 22, 1994, and January 11, 1995. The State must make the following changes to receive full program approval:

(a) Provide EPA with an acceptable justification for establishing an aggregate emissions threshold of 50 tpy for the triggering of the carbon monoxide reporting requirements. Otherwise, Florida must establish carbon monoxide emissions thresholds that are consistent with the State's emissions thresholds for particulates (PM–10), sulfur dioxide, nitrogen oxides, and volatile organic compounds.

(b) Revise Rules 62–4.040(1)(b), 62–210.300(3), and 62–213.400, F.A.C., to provide that (1) Applications do not omit information needed to determine or impose applicable requirements (as defined in Rule 62–213.200(6), F.A.C.); (2) insignificant activities or emissions units will not be exempted from the determination of whether a source is major; and (3) emissions thresholds for individual activities or units that are exempted will not exceed 5 tpy for regulated air pollutants, and the lesser of 1000 pounds per year or section 112(g) de minimis levels for HAPs or different thresholds that the State demonstrates are insignificant. In addition, as discussed above, several specific exemptions in Rule 62–210.300(3), F.A.C., must either be removed from the rule or revised.

(c) Make regulatory provisions for permit reopenings for cause consistent with 40 CFR 70.7(f)(1)(i), (iii), and (iv).

The scope of the State of Florida's part 70 program approved in this notice applies to all part 70 sources (as defined in the approved program) within the State, except any sources of air pollution over which an Indian Tribe has jurisdiction. *See, e.g.*, 59 FR 55813, 55815–18 (November 9, 1994). The term ''Indian Tribe'' is defined under the Act as ''any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.'' See section 302(r) of the CAA; see also 59 FR 43956, 43962 (August 25, 1994); 58 FR 54364 (October 21, 1993).

This interim approval, which may not be renewed, extends until October 25, 1997. During this interim approval period, the State of Florida is protected from sanctions, and EPA is not obligated to promulgate, administer, and enforce a Federal operating permits program in the State. Permits issued under a program with interim approval have full standing with respect to part 70, and the one-year time period for submittal of permit applications by subject sources begins upon the effective date of this final interim approval, as does the three-year time period for processing the initial permit applications.

If the State of Florida fails to submit a complete corrective program for full approval by April 25, 1997, EPA will start an 18-month clock for mandatory sanctions. If Florida then fails to submit a corrective program that EPA finds complete before the expiration of that 18-month period, EPA will be required to apply one of the sanctions in section 179(b) of the Act, which will remain in effect until EPA determines that Florida has corrected the deficiency by submitting a complete corrective program. Moreover, if the Administrator finds a lack of good faith on the part of Florida, both sanctions under section 179(b) will apply after the expiration of the 18-month period until the Administrator determines that Florida has come into compliance. In any case, if, six months after application of the first sanction, Florida still has not submitted a corrective program that EPA has found complete, a second sanction will be required.

If EPA disapproves Florida's complete corrective program, EPA will be required to apply one of the section 179(b) sanctions on the date 18 months after the effective date of the disapproval, unless prior to that date the State has submitted a revised program and EPA has determined that it corrected the deficiencies that prompted the disapproval. Moreover, if the Administrator finds a lack of good faith on the part of the Florida, both sanctions under section 179(b) will apply after the expiration of the 18-month period until the Administrator determines that the State has come into compliance. In all cases, if, six months after EPA applies the first sanction, Florida has not submitted a revised program that EPA determines to have corrected the deficiencies that prompted disapproval, a second sanction will be required.

In addition, discretionary sanctions may be applied where warranted any time after the expiration of an interim approval period if a state has not timely submitted a complete corrective program or EPA has disapproved a submitted corrective program. Moreover, if EPA has not granted full approval to a state program by the expiration of an interim approval and that expiration occurs after November 15, 1995, EPA must promulgate, administer, and enforce a Federal operating permit program for that state upon interim approval expiration.

2. Preconstruction Review Program Implementing Section 112(g)

EPA issued an interpretive notice on February 14, 1995 (60 FR 8333), which outlines EPA's revised interpretation of section 112(g) applicability. The notice postpones the effective date of section 112(g) until after EPA has promulgated a rule addressing that provision. The notice sets forth in detail the rationale for the revised interpretation.

The section 112(g) interpretative notice explains that EPA is considering whether the effective date of section 112(g) should be delayed beyond the date of promulgation of the Federal rule so as to allow states time to adopt rules implementing the Federal rule, and that EPA will provide for any such additional delay in the final section 112(g) rulemaking. Unless and until EPA provides for such an additional postponement of section 112(g), Florida must have a Federally enforceable mechanism for implementing section 112(g) during the period between promulgation of the Federal section 112(g) rule and adoption of implementing State regulations.

EPA is aware that Florida lacks a program designed specifically to implement section 112(g). However, Florida does have a preconstruction review program that can serve as an adequate implementation vehicle during the transition period because it would allow the State to select control measures that would meet the maximum achievable control technology (MACT), as defined in section 112, and incorporate these measures into a Federally enforceable preconstruction permit.

For this reason, EPA is approving the use of Florida's preconstruction review program found in Rule 62–212, F.A.C., under the authority of title V and part 70, solely for the purpose of implementing section 112(g) to the extent necessary during the transition period between section 112(g) promulgation and adoption of a State rule implementing EPA's section 112(g) regulations. Although section 112(l) generally provides authority for approval of state air programs to implement section 112(g), title V and section 112(g) provide for this limited approval because of the direct linkage between the implementation of section 112(g) and title V. The scope of this approval is narrowly limited to section 112(g) and does not confer or imply approval for purpose of any other provision under the Act (e.g., section 110). This approval will be without effect if EPA decides in the final section 112(g) rule that sources are not subject to the requirements of the rule until State regulations are adopted. The duration of this approval is limited to 18 months following promulgation by EPA of the section 112(g) rule to provide adequate time for the State to adopt regulations consistent with the Federal requirements.

3. Program for Delegation of Section 112 Standards as Promulgated

The requirements for part 70 program approval, specified in 40 CFR 70.4(b), encompass section 112(l)(5) requirements for approval of a state program for delegation of section 112 standards promulgated by EPA as they apply to title V 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, EPA is also approving, under section 112(l)(5) and 40 CFR 63.91, Florida's program for receiving delegation of section 112 standards and programs that are unchanged from the Federal rules as promulgated. In addition, EPA is delegating all existing standards and programs under 40 CFR parts 61 and 63. This program for delegations applies to part 70 sources and non-part 70 sources.[1]

III. Administrative Requirements

A. Docket

Copies of the State's submittal and other information relied upon for the final interim approval, including the three comment letters received and reviewed by EPA on the proposal notice, are contained in docket number FL–95–01 maintained at the EPA Region 4 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

EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permit 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.

D. Unfunded Mandates Reform Act of 1995

Under section 202 of the Unfunded Mandates Reform Act of 1995, signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives

[1] The radionuclide National Emission Standards for Hazardous Air Pollutant (NESHAP) is a section 112 regulation and therefore, also an applicable requirement under the State operating permits program for part 70 sources. There is not yet a Federal definition of ''major'' for radionuclide sources. Therefore, until a major source definition for radionuclide is promulgated, no source would be a major section 112 source solely due to its radionuclide emissions. However, a radionuclide source may, in the interim, be a major source under part 70 for another reason, thus requiring a part 70 permit. EPA will work with the State in the development of its radionuclide program to ensure that permits are issued in a timely manner.

of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the proposed interim approval action promulgated today does not include a Federal mandate that may result in estimated costs of $100 million or more to State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 70

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

Dated: September 15, 1995.

John H. Hankinson, Jr.,

Regional Administrator.

Part 70, 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 the State of Florida in alphabetical order to read as follows:

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

* * * * *

Florida

(a) Florida Department of Environmental Protection: submitted on November 16, 1993, and supplemented on July 8, 1994, November 28, 1994, December 21, 1994, December 22, 1994, and January 11, 1995; interim approval effective on October 25, 1995; interim approval expires October 25, 1997.

(b) [Reserved]

* * * * *

[FR Doc. 95–23709 Filed 9–22–95; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5301–7]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of the E.I. du Pont de Nemours and Company (DuPont) County Road X23 Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region VII announces the deletion of the E.I. du Pont de Nemours and Company County Road X23 Superfund Site from the National Priorities List (NPL). The NPL constitutes appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) which the EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. This action is being taken as Superfund Remedial Activities have been completed at the Site and EPA and the State of Iowa have determined that no further cleanup by the Responsible Party is appropriate under CERCLA. Moreover, EPA and the State have determined that CERCLA activities conducted at the Site to date have been protective of public health, welfare and the environment.

EFFECTIVE DATE: September 25, 1995.

FOR FURTHER INFORMATION CONTACT: Paul W. Roemerman, Remedial Project Manager, Superfund Branch, U.S. Environmental Protection Agency, Region VII, 726 Minnesota Ave., Kansas City, KS 66101, (913) 551–7694.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is the E.I. du Pont de Nemours and Company County Road X23 Superfund Site, Fort Madison, Lee County, Iowa.

A notice of intent to delete for this site was published August 30, 1994 (59 FR 44689). The closing date for comments was thirty (30) days after the notice was published. EPA did not receive any comments on the proposed deletion.

Based upon a review of monitoring data from the site, EPA in consultation with the State of Iowa has determined that the site does not pose a significant risk to human health or the environment. The site shall be monitored in accordance with the Operation and Monitoring Plan approved by EPA.

EPA, in conjunction with the State of Iowa, will conduct future reviews of monitoring data at a minimum of every five years, or until such time when no hazardous substances, pollutants or contaminants remain at the site above levels that allow for unrestricted use and unlimited exposure.

The EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Response Fund (Fund). Pursuant to § 105(e) of CERCLA, any site deleted from the NPL remains eligible for Fund-financed Remedial Actions if conditions at the site warrant such action. Deletion from the NPL does not affect responsible party liability or impede EPA efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Chemicals, Hazardous substances, Hazardous wastes, Superfund.

Dated: August 9, 1995.

Dennis Grams,

Regional Administrator.

For the reasons set out in the preamble 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. 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 ''E.I. du Pont de Nemours and Company County Road X23 Superfund Site, Lee County, Iowa''.

[FR Doc. 95–23708 Filed 9–22–95; 8:45 am]

BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Part 302–6

[FTR Amendment 44]

RIN 3090–AF73

Federal Travel Regulation; Increase in Maximum Reimbursement Limitations for Real Estate Sale and Purchase Expenses

AGENCY: Federal Supply Service, GSA.

ACTION: Final rule.