

Dated: October 22, 1996.  
 William J. Muszynski,  
*Acting 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 New York in alphabetical order to read as follows:

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

\* \* \* \* \*

*New York*

(a) The New York State Department of Environmental Conservation submitted an operating permits program on November 12, 1993, supplemented on June 17, 1996 and June 27, 1996; interim program approval effective on May 7, 1999; interim program approval expires December 7, 1998.

(b) [Reserved]

\* \* \* \* \*

[FR Doc. 96-28539 Filed 11-6-96; 8:45 am]  
 BILLING CODE 6560-50-P

**40 CFR Part 300**

[FRL-5646-1]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of partial deletion of the Harbor Island Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 10 announces the deletion of a portion of the Harbor Island Superfund Site, located in Seattle, King County, from the National Priorities List (NPL). The portion of the site to be deleted is the Lockheed

Shipyards Operable Unit (OU). The NPL constitutes 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, as amended (CERCLA). EPA and the State of Washington Department of Ecology (Ecology) have determined that no further cleanup under CERCLA is required and that the selected remedy has been protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** November 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Keith Rose, Remedial Project Manager, U.S. Environmental Protection Agency, Region 10, 1200 6th Avenue, ECL-111, Seattle, WA 98101, (206) 553-7721.

**SUPPLEMENTARY INFORMATION:** The site to be partially deleted from the NPL is:

The Harbor Island Site located in Seattle, King County, Washington.

This partial deletion pertains only to the Lockheed Shipyards OU, which is known as OU No. 3. The Lockheed Shipyards OU is located at 2929 16th Avenue Southwest, and is bounded on the north by the ARCO petroleum storage tank facility, on the east by 16th Avenue Southwest, on the south by the Fisher Mills facility, and on the west by the West Waterway of the Duwamish River. This partial deletion pertains only to OU No. 3 of the Harbor Island site. Response activities at OU Nos. 1, 2, 4, and 5 of this Site are not yet complete and these OUs will remain on the National Priorities List and are not subject of this partial deletion.

This partial deletion is in accordance with 40 CFR 300.425(e) and the Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List, 60 FR 55466 (Nov. 1, 1995). A Notice of Intent for Partial Deletion was published September 5, 1996, (61 FR 46749). The closing date for comments on the Notice of Intent to Delete was October 7, 1996. EPA did not receive

any comments on the proposed partial deletion and has not prepared a Responsiveness Summary.

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-financed remedial actions. Any site, or portion of a 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 of the NCP states that Fund-financed actions may be taken at sites deleted from 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 efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control.

Dated: October 25, 1996.

Chuck Clarke,  
*Regional Administrator, U.S. Environmental Protection Agency, Region 10.*

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: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; 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 revising the entry for Harbor Island (lead), Seattle, Washington, to read as follows:

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes
* * * * *			
WA	Harbor Island	Seattle/King County	P
* * * * *			

P=Sites with partial deletion(s).

[FR Doc. 96-28429 Filed 11-6-96; 8:45 am]  
 BILLING CODE 6560-50-P