

E. Certification Under the Regulatory Flexibility Act

EPA has determined that this authorization will not have a significant economic impact on a substantial number of small entities. Such small entities which own and/or operate USTs are already subject to the regulatory requirements under existing State law which are being authorized by EPA pursuant to this Final Rule. EPA's authorization does not impose any additional burdens on these small entities; rather EPA's authorization of Virginia's UST program today simply results in an administrative change, rather than a change in the substantive requirements imposed on these small entities.

Therefore, EPA provides the following certification under the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. Pursuant to the provision at 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization approves regulatory requirements under existing State law to which small entities are already subject. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

F. Compliance With Executive Order 13045

Executive Order 13045 applies to any rule that the Office of Management and Budget determines is "economically significant" as defined under Executive Order 12866, and that EPA determines that the environmental health or safety risk addressed by the rule has a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

The Agency has determined that the final rule is not a covered regulatory action as defined in the Executive Order because it is not economically significant and does not address environmental health and safety risks. As such, the final rule is not subject to the requirements of Executive Order 13045.

G. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory

Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 281

Environmental protection, Administrative practice and procedure, Hazardous materials, State program approval, Underground storage tanks.

Authority: This document is issued under the authority of Section 9004 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6991c.

Dated: September 17, 1998.

Stanley L. Laskowski,

Acting Regional Administrator, Region 3.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-6168-2]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of partial deletion of portions of the Sangamo Weston/Twelve Mile Creek/Lake Hartwell (Sangamo) Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) announces the partial deletion of the Sangamo site in Pickens, South Carolina from the National Priorities List (NPL). The portion to be deleted is described below. 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 (CERCLA), as amended. EPA and the State of South Carolina have determined that all appropriate Fund-financed responses under CERCLA have been implemented on the portions of the property targeted for this partial deletion and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of South Carolina Department of Health and Environmental Control have

determined that remedial actions conducted on these portions of the property at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: September 28, 1998.

FOR FURTHER INFORMATION CONTACT: Sheri Panabaker, Remedial Project Manager, U.S. EPA, Region 4, 61 Forsyth Street, WD-NSMB, Atlanta, GA 30303, 404/562-8810.

SUPPLEMENTARY INFORMATION: The area to be deleted from the NPL is a portion of the Sangamo Superfund Site, Pickens, South Carolina. The portions to be deleted include: three of the off-site remote properties (Trotter, Nix, and Welborn), as well as unused property across Sangamo Road from the plant site. Contaminated soils were removed from the three remote sites and taken to the plant site where they were treated with all the other contaminated soils by thermal desorption. Confirmation sampling from the unused property across the street from the plant site, did not show any contamination. This partial deletion does not include all site soil actions nor the groundwater remedial action which will remain on the NPL. A Notice of Intent to Delete for this site was published in the **Federal Register** on August 17, 1998 (63 FR 43900). The closing date for comments on the Notice of Intent to Delete was September 16, 1998. EPA received no comments during this period.

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 300.66(c)(8) of the NCP states that fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site or a portion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover cost 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, Water supply.

Dated: September 18, 1998.

Phyllis Hall,

*Acting Deputy Regional Administrator,
Region 4.*

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

2. Table 1 of Appendix B to part 300 is amended by revising the entry for “Sangamo Weston/Twelve-Mile/Hartwell PCB, Pickens, South Carolina” to read as follows:

Appendix B to Part 300—National Priorities List

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/County	Notes (a)
SC	Sangamo Weston/Twelve-Mile/Hartwell PCB	Pickens	P

(a) * * *
P = Sites with partial deletion(s).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6168–1]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of partial deletion of the Bypass 601 Groundwater Contamination Superfund Site, Concord, Cabarrus County, North Carolina from the National Priorities List.

SUMMARY: The EPA Region 4 announces the deletion of Source Areas 1, 2, 3, 7, 8, 9, and 10 of the Bypass 601 Groundwater Contamination Superfund Site from the National Priorities List (NPL), in 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 (CERCLA), as amended. EPA and the State of North Carolina Department of Environment and Natural Resources have determined that Source

Areas 1, 2, 3, 7, 8, 9, and 10 pose no significant threat to public health or the environment, and therefore, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) further remedial measures are not appropriate. This deletion does not preclude future action under Superfund.

EFFECTIVE DATE: September 28, 1998.

FOR FURTHER INFORMATION CONTACT: Giezelle Bennett, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, North Site Management Branch, 61 Forsyth Street, S.W., Atlanta, Georgia 30303–3014, (404) 562–8824.

SUPPLEMENTARY INFORMATION: The Site affected by this partial deletion from the NPL is: Bypass 601 Groundwater Contamination Superfund Site in Cabarrus County, North Carolina.

A Notice of Intent to Partially Delete for this Site was published on August 17, 1998 (63 FR 43898). The closing date for comments on the Notice of Intent to Partially Delete was September 16, 1998. EPA received no comments.

EPA identifies sites that appear to present a significant risk to the public health, welfare, and the environment and it maintains the NPL as the list of those sites. Any site or portion thereof deleted from the NPL remains eligible for Fund-financed remedial actions in the future. Section 300.425(e)(3) of the NCP states that Fund-financed action 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, Water supply.

Dated: September 18, 1998.

R.F. McGhee,

*Acting Deputy Regional Administrator,
Region 4.*

For 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 “Bypass 601 Ground Water Contamination, Concord, North Carolina” to read as follows:

Appendix B to Part 300—National Priorities List

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/County	Notes (a)
NC	Bypass 601 Ground Water Contamination	Concord	P