

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 300**

[FRL-7136-7]

**National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Lake Linden parcel and Operable Unit 2 of the Torch Lake Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency, (EPA) Region V is issuing a notice of intent to delete the Lake Linden parcel and Operable Unit 2 from the Torch Lake Superfund Site (Site) located in Houghton County, Michigan, from the National Priorities List (NPL) and requests public comments on this notice of intent to delete. Operable Unit 2 includes all submerged tailing, sediments, surface water and groundwater associated with the Torch Lake Superfund Site. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found at appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of Michigan, through the Michigan Department of Environmental Quality, have determined that all appropriate response actions under CERCLA have been completed. However, this deletion does not preclude future actions under Superfund. In the "Rules and Regulations" Section of today's **Federal Register**, we are publishing a direct final notice of deletion of the Lake Linden parcel and Operable Unit 2 of the Torch Lake Superfund Site without prior notice of intent to delete because we view this as a non-controversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final notice of deletion. If we receive no adverse comment(s) on the direct final notice of deletion, we will not take further action. If we receive timely adverse comment(s), we will withdraw the direct final notice of deletion and it will not take effect. We will, as appropriate, address all public comments in a subsequent final deletion notice based on adverse comments received on this notice of intent to delete. We will not institute a second comment period on this notice of intent

to delete. Any parties interested in commenting must do so at this time. For additional information, see the direct final notice of deletion which is located in the Rules section of this **Federal Register**.

**DATES:** Comments concerning this Site must be received by March 7, 2002.

**ADDRESSES:** Written comments should be addressed to: Stuart Hill, Community Involvement Coordinator, U.S. EPA (P-19), 77 W. Jackson, Chicago, IL 60604, 312-886-0689 or 1-800-621-8431.

**FOR FURTHER INFORMATION CONTACT:** Steven Padovani, Remedial Project Manager at (312) 353-6755, or Gladys Beard, State NPL Deletion Process Manager at (312) 886-7253 or 1-800-621-8431, Superfund Division, U.S. EPA (SR-6J), 77 W. Jackson, IL 60604.

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final Notice of Deletion which is located in the Rules section of this **Federal Register**.

**Information Repositories**

Repositories have been established to provide detailed information concerning this decision at the following address: EPA Region V Library, 77 W. Jackson, Chicago, IL 60604, (312) 353-5821, Monday through Friday 8:00 a.m. to 4:00 p.m.; Lake Linden Public Library, 601 Calumet St., Lake Linden, MI 49945, (906) 296-0698, Monday through Friday 8:00 a.m. to 4:00 p.m., Tuesday and Thursday 6:00 p.m. to 8:00 p.m.; Portage Lake District Library, 105 Huron, Houghton, MI 49931 (906) 482-4570, Monday, Tuesday and Thursday 10:00 a.m. to 9:00 p.m., Wednesday and Friday 10:00 a.m. to 5:00 p.m. and Saturday 12:00 p.m. to 5:00 p.m.

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

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

**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.

Dated: January 18, 2002.

**Gary V. Gulezian,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 02-2508 Filed 2-4-02; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL EMERGENCY MANAGEMENT AGENCY****44 CFR Part 67**

[Docket No. FEMA-B-7424]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [matt.miller@fema.gov](mailto:matt.miller@fema.gov).

**SUPPLEMENTARY INFORMATION:** FEMA proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management