

Order 13132 (64 FR 43255, August 10, 1999). This rule authorizes pre-existing State rules. Thus, Executive Order 13132 does not apply to this rule.

*F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments*

Executive Order 13175, entitled "Consultation and Coordination with Indian Tribal Governments" (59 FR 22951, November 9, 2000), requires EPA to develop an accountable process to ensure "meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." This rule does not have tribal implications, as specified in Executive Order 13175 because EPA retains its authority over Indian Country. Thus, Executive Order 13175 does not apply to this rule.

*G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks*

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5-501 of the Executive Order has the potential to influence the regulation. This action is not subject to Executive Order 13045 because it approves a state program.

*H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use*

This rule is not subject to Executive Order 13211, "Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a "significant regulatory action" as defined under Executive Order 12866.

*I. National Technology Transfer and Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Public Law 104-113, 12(d) (15 U.S.C. 272), directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards. This rulemaking

does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

*J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations*

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. EPA has determined that this rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations. This rule does not affect the level of protection provided to human health or the environment because this rule authorizes pre-existing State rules which are no less stringent than existing Federal requirements.

*K. 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, 42 U.S.C. 6991c.

Dated: August 31, 2011.

**Michelle L. Pirzadeh,**

*Acting Regional Administrator, Region 10.*  
[FR Doc. 2011-23816 Filed 9-15-11; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-1998-0007; FRL-9465-7]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** On July 29, 2011, the Environmental Protection Agency (EPA) published a Notice of Intent to Delete and a Direct Notice of Deletion for the State Marine of Port Arthur (SMPA) Superfund Site from the National Priorities List. The EPA is withdrawing the Final Direct Notice of Deletion because the deletion notices were published in the **Federal Register** without Headquarter's concurrence as required under the Comprehensive Environmental Response, Compensation, and Liability Act Delegation of Authority.

**DATES:** *Effective Date:* This withdrawal of the direct final action (76 FR 45428) is effective as of September 16, 2011.

**ADDRESSES:**

*Information Repositories:* Comprehensive information on the SMPA Superfund Site, as well as the comments that we received during the comment period, are available in Docket EPA-HQ-SFUND-1998-0007, accessed through the <http://www.regulations.gov> Web site. Although listed in the docket index, some information is not publicly available (e.g., CBI or other information whose disclosure is restricted by statute). Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at:

1. U.S. Environmental Protection Agency, Region 6; 1445 Ross Avenue, Suite 700; Dallas, Texas 75202-2733; Hours of operation: Monday thru Friday, 9 a.m. to 12 p.m. and 1 to 4 p.m. Contact: Rafael A. Casanova (214) 665-7437.

2. Port Arthur Public Library; 4615 9th Avenue; Port Arthur, Texas 77642-5799; Hours of operation: Monday thru Thursday, 9 a.m. to 9 p.m.; Friday, 9 a.m. to 6 p.m.; Saturday, 9 a.m. to 5 p.m.; and Sunday, 2 to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Rafael A. Casanova, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF-RA); 1445 Ross Avenue, Suite

1200; Dallas, Texas 75202-2733; telephone number: (214) 665-7437; e-mail: [casanova.rafael@epa.gov](mailto:casanova.rafael@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**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: September 6, 2011.

**Al Armendariz,**

*Regional Administrator, Region 6.*

Accordingly, the amendment to Table 1 of Appendix B to CFR part 300 to remove the entry "State Marine of Port Arthur Superfund Site," "Port Arthur, Texas," is withdrawn as of September 16, 2011.

[FR Doc. 2011-23823 Filed 9-15-11; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-2000-0003; FRL-9465-5]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** On July 29, 2011, the Environmental Protection Agency (EPA) published a Notice of Intent to Delete and a Direct Notice of Deletion for the Palmer Barge Line (PBL) Superfund Site from the National Priorities List. The EPA is withdrawing the Final Direct Notice of Deletion because the deletion notices were published in the **Federal Register** without Headquarter's concurrence as required under the Comprehensive Environmental Response, Compensation, and Liability Act Delegation of Authority.

**DATES:** *Effective Date:* This withdrawal of the direct final action (76 FR 45432) is effective as of September 16, 2011.

**ADDRESSES:**

*Information Repositories:* Comprehensive information on the PBL Superfund Site, as well as the comments that we received during the comment period, are available in Docket EPA-HQ-SFUND-2000-0003, accessed

through the <http://www.regulations.gov> Web site. Although listed in the docket index, some information is not publicly available (e.g., CBI or other information whose disclosure is restricted by statute). Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at:

1. U.S. Environmental Protection Agency, Region 6; 1445 Ross Avenue, Suite 700; Dallas, Texas 75202-2733; Hours of operation: Monday thru Friday, 9 a.m. to 12 p.m. and 1 p.m. to 4 p.m.. Contact: Rafael A. Casanova (214) 665-7437.

2. Port Arthur Public Library; 4615 9th Avenue; Port Arthur, Texas 77642-5799; Hours of operation: Monday thru Thursday, 9 a.m. to 9 p.m.; Friday, 9 a.m. to 6 p.m.; Saturday, 9 a.m. to 5 p.m.; and Sunday, 2 p.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Rafael A. Casanova, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF-RA); 1445 Ross Avenue, Suite 1200; Dallas, Texas 75202-2733; telephone number: (214) 665-7437; e-mail: [casanova.rafael@epa.gov](mailto:casanova.rafael@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**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: September 6, 2011.

**Al Armendariz,**

*Regional Administrator, Region 6.*

Accordingly, the amendment to Table 1 of Appendix B to CFR part 300 to remove the entry "Palmer Barge Line Superfund Site," "Port Arthur, Texas," is withdrawn as of September 16, 2011.

[FR Doc. 2011-23870 Filed 9-15-11; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-2002-0001; EPA-HQ-SFUND-2010-0640 and 0641, EPA-HQ-SFUND-2011-0057, 0058, 0061, 0062, 0065, 0066, 0070, 0072, 0074, 0076, 0077, and 0078, FRL-9464-6]

**RIN 2050-AD75**

**National Priorities List, Final Rule No. 52**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final Rule.

**SUMMARY:** The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA" or "the Act"), as amended, requires that the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP") include a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. The National Priorities List ("NPL") constitutes this list. The NPL is intended primarily to guide the Environmental Protection Agency ("EPA" or "the Agency") in determining which sites warrant further investigation. These further investigations will allow EPA to assess the nature and extent of public health and environmental risks associated with the site and to determine what CERCLA-financed remedial action(s), if any, may be appropriate. This rule adds 15 sites to the NPL, all to the General Superfund Section.

**DATES:** *Effective Date:* The effective date for this amendment to the NCP is October 17, 2011.

**ADDRESSES:** For addresses for the Headquarters and Regional dockets, as well as further details on what these dockets contain, see section II, "Availability of Information to the Public" in the "Supplementary Information" portion of this preamble.

**FOR FURTHER INFORMATION CONTACT:**

Terry Jeng, phone: (703) 603-8852, email: [jeng.terry@epa.gov](mailto:jeng.terry@epa.gov), Site Assessment and Remedy Decisions Branch; Assessment and Remediation Division; Office of Superfund Remediation and Technology Innovation (Mailcode 5204P); U.S. Environmental Protection Agency; 1200 Pennsylvania Avenue, NW; Washington, DC 20460; or the Superfund Hotline, phone (800) 424-9346 or (703) 412-9810 in the Washington, DC, metropolitan area.