

EPA treats as reservations, trust lands validly set aside for the use of a Tribe even if the trust lands have not been formally designated as a reservation. Consistent with previous federal program approvals or delegations, EPA will continue to implement the RM Program in Indian country because NDDA has not demonstrated authority over sources and activities located within the exterior boundaries of Indian reservations and other areas in Indian country.

#### IV. Proposed Action

EPA proposes approving NDDA's request for partial delegation of authority to implement and enforce (with the exception of criminal enforcement) the RM Program for agricultural anhydrous ammonia facilities. NDDA has incorporated by reference Federal requirements set forth in 40 CFR part 68 in NDAC 7-12-03 and regulates agricultural anhydrous ammonia facilities through this authority as well as its authority in NDCC 19-20.2 and 19-20.3. This partial delegation will extend to agricultural anhydrous ammonia facilities which are sources subject to the accidental release prevention regulations in 40 CFR part 68, with the exception of sources in Indian country.

#### V. Statutory and Executive Order Reviews

Under the CAA, the Regional Administrator is authorized to approve program delegation when that program complies with the provisions of the Clean Air Act and applicable federal regulations (42 U.S.C. 7410(k), 40 CFR 52.02(a)). Thus, in reviewing delegation requests, EPA's role is to review and approve state programs provided that they meet the criteria of the CAA. Accordingly, this proposed action merely approves a state program and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- Does not contain any unfunded mandate or significantly or uniquely

affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and,
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the State program is not approved to regulate in Indian country located in North Dakota, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

#### List of Subjects in 40 CFR Part 63

Environmental protection, Risk management program, Air pollution control, Hazardous substances, Chemicals, Intergovernmental relations.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: October 22, 2013.

**Shaun L. McGrath,**

*Regional Administrator, U.S. EPA Region 8.*

[FR Doc. 2013-26356 Filed 11-4-13; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 300

**[EPA-HQ-SFUND-2005-0011; FRL-9902-28-Region 4]**

##### **National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Geiger (C&M Oil) Superfund Site**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; notice of intent.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 is issuing a

Notice of Intent to Delete the Geiger (C&M Oil) Superfund Site (Site) located in Hollywood, Charleston County, South Carolina, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of South Carolina, through the South Carolina Department of Health and Environmental Control, have determined that all appropriate response actions under CERCLA, other than operation, maintenance, and five-year reviews (include if applicable), have been completed. However, this deletion does not preclude future actions under Superfund.

**DATES:** Comments must be received by December 5, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID no. EPA-HQ-SFUND-2005-0011, by one of the following methods:

- *http://www.regulations.gov.* Follow on-line instructions for submitting comments.
- *Email:* Joyner.William@EPA.gov and or Miller.Angela@EPA.gov.
- *Fax:* (404) 562-8788.
- *Mail:* William Joyner, Remedial Project Manager, Superfund Remedial Section A, Superfund Remedial Branch Superfund Division, U.S. Environmental Protection Agency, Region 4, Atlanta Federal Center, 61 Forsyth Street SW., Atlanta, GA 30303-8960.

- *Hand delivery:* U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID no. EPA-HQ-SFUND-2005-0011. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or email. The *http://www.regulations.gov* Web site is

an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the 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 the hard copy. Publicly available docket materials are available either electronically at <http://www.regulations.gov> or in hard copy at: Regional Site Information Repository, U.S. EPA Record Center, Attn: Ms. Anita Davis, Atlanta Federal Center, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960.

Hours of Operation (by appointment only): 8:30 a.m. to 4:00 p.m., Monday through Friday. St. Paul's Parish Library, 5151 Town Council Drive, Hollywood, SC 29449.

Hours of Operation: Monday, Tuesday and Wednesday from 10:00 a.m. to 6:00 p.m.; Thursday from 12:00 p.m. to 8:00 p.m.; and Saturday from 10:00 a.m. to 2:00 p.m.

**FOR FURTHER INFORMATION CONTACT:** William Joyner, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, GA 30303-8960, (404) 562-8795, email: [Joyner.William@EPA.gov](mailto:Joyner.William@EPA.gov).

**SUPPLEMENTARY INFORMATION:** In the “Rules and Regulations” Section of today’s **Federal Register**, we are publishing a direct final Notice of Deletion of the Geiger (C&M Oil) Superfund Site without prior Notice of Intent to Delete because we view this as a noncontroversial revision and anticipate no adverse comment. We

have explained our reasons for this deletion in the preamble to the direct final Notice of Deletion, and those reasons are incorporated herein. If we receive no adverse comment(s) on this deletion action, we will not take further action on this Notice of Intent to Delete. If we receive 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 Notice of Deletion based 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**.

#### 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 23, 2013.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*  
[FR Doc. 2013-26513 Filed 11-4-13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Parts 173, 174, 178, 179, and 180

[Docket No. PHMSA-2012-0082 (HM-251)]

RIN 2137-AE91

#### Hazardous Materials: Rail Petitions and Recommendations To Improve the Safety of Railroad Tank Car Transportation (RRR)

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Advance Notice of Proposed Rulemaking (ANPRM), extension of comment period.

**SUMMARY:** PHMSA is notifying the public of our intent to extend the comment period by 30 days for a notice

of proposed rulemaking published on September 6, 2013.

**DATES:** The comment period for the ANPRM closing on November 5, 2013 is extended until December 5, 2013. To the extent possible, PHMSA will consider late-filed comments during the next stage of the rulemaking process.

**ADDRESSES:** You may submit comments identified by the docket number (PHMSA-2012-0082) by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- **Fax:** 1-202-493-2251.

- **Mail:** Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue SE., Washington, DC 20590.

- **Hand Delivery:** To Docket Operations, Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**Instructions:** All submissions must include the agency name and docket number for this notice at the beginning of the comment. Note that all comments received will be posted without change to the docket management system, including any personal information provided.

**Docket:** For access to the dockets to read background documents or comments received, go to <http://www.regulations.gov>, or DOT's Docket Operations Office (see **ADDRESSES**).

**FOR FURTHER INFORMATION CONTACT:** Karl Alexy, (202) 493-6245, Office of Safety Assurance and Compliance, Federal Railroad Administration or Ben Supko, (202) 366-8553, Standards and Rulemaking Division, Pipeline and Hazardous Materials Safety Administration, US Department of Transportation, 1200 New Jersey Ave. SE., Washington, DC 20590-0001.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On September 6, 2013, PHMSA published a notice of proposed rulemaking (ANPRM; 78 FR 54849) seeking public comments on whether issues raised in eight petitions and four NTSB recommendations would enhance safety, revise, and clarify the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180) with regard to rail transport. Specifically, we requested comments on important amendments that would: (1) Enhance the standards