

DEPARTMENT OF DEFENSE**Office of the Secretary****32 CFR Part 145**

[Docket ID: DOD-2025-OS-0441]

RIN 0790-AL88

Cooperation With the Office of Special Counsel of the Merit Systems Protection Board**AGENCY:** Office of the General Counsel, Department of Defense (DoD).**ACTION:** Final rule.

SUMMARY: This final rule removes this DoD regulation concerning cooperation with the Office of Special Counsel (OSC) in carrying out OSC's responsibilities to conduct investigations of alleged prohibited personnel practices and ensure the investigation of other allegations of improper or illegal conduct that OSC refers to DoD. This part does not reflect the current policy set forth in the DoD directive referenced in the

SUPPLEMENTARY INFORMATION section, and is being removed rather than updated. The rule does not impose obligations on members of the public. Therefore, this part may be removed from the CFR.

DATES: This final rule is effective March 4, 2026.

FOR FURTHER INFORMATION CONTACT: William R. Sprance, 703-571-9457.

SUPPLEMENTARY INFORMATION:**I. Background**

This final rule removes this DoD regulation concerning cooperation with the OSC in carrying out OSC's responsibilities under Public Law 95-454 and 5 CFR parts 1201 and 1250 to conduct investigations of alleged prohibited personnel practices and ensure the investigation of other allegations of improper or illegal conduct that OSC refers to DoD. Part 145 does not reflect the current policy set forth in DoD Directive 5500.19, "Cooperation with the United States Office of Special Counsel (OSC)," May 4, 2004 (available at https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/550019p.pdf?ver=DfZfJbJmU3vWP8sAiq_dFQ%3d%3d), and is being removed rather than updated.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

It has been determined that publication of this final rule in the CFR for public comment is impracticable,

unnecessary, and contrary to public interest, because DoD is merely removing a provision no longer in effect. On May 9, 1986, part 145 was published as a final rule at 51 **Federal Register** 17178.

III. E.O. 12866, "Regulatory Planning and Review," and E.O. 13563, "Improving Regulation and Regulatory Review"

E.O.s 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 3(f) of E.O. 12866, dated September 30, 1993.

IV. E.O. 14192, Unleashing Prosperity Through Deregulation"

This rule is not subject to E.O. 14192, because this rule is not a significant regulatory action under E.O. 12866.

V. Congressional Review Act (5 U.S.C. 801 et seq.)

Pursuant to the Congressional Review Act, this rule has not been designated a major rule, as defined by 5 U.S.C. 804(2).

VI. Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. 601 et seq.)

It has been that certified this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities. Therefore, the Regulatory Flexibility Act, as amended, does not require us to prepare a regulatory flexibility analysis.

VII. Sec. 202, Public Law 104-4, "Unfunded Mandates Reform Act"

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) requires agencies to assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. This rule will not mandate any requirements for state, local, or tribal governments, and will not affect private sector costs.

VIII. Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. 3501 et seq.)

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

IX. E.O. 13132, "Federalism"

E.O. 13132 establishes certain requirements that an agency must meet when it promulgates a final rule that imposes substantial direct requirement costs on state and local governments, preempts state law, or otherwise has federalism implications. This rule will not have a substantial effect on State and local governments.

X. E.O. 13175, "Consultation and Coordination With Indian Tribal Governments"

E.O. 13175 establishes certain requirements that an agency must meet when it promulgates a final rule that imposes substantial direct compliance costs on one or more Indian tribes, preempts tribal law, or effects the distribution of power and responsibilities between the Federal Government and Indian tribes. This rule will not have a substantial effect on Indian tribal governments.

List of Subjects in 32 CFR Part 145

Equal employment opportunity, Government employees, Investigations, Merit Systems Protection Board.

PART 145—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 145 is removed.

Dated: March 2, 2026.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2026-04315 Filed 3-3-26; 8:45 am]

BILLING CODE 6001-FR-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 300**

[EPA-HQ-OLEM-2025-1247; FRL-12905-02-OLEM]

Deletion From the National Priorities List**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of one site, Corozal Well, from the

Superfund National Priorities List (NPL). The NPL, created under 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). In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. The EPA and the Commonwealth of Puerto Rico, through the Puerto Rico Department of Natural and Environmental Resources (PRDNER), have determined that all appropriate response actions under CERCLA have been completed and no further response is appropriate. However, this deletion does not preclude future actions under Superfund.

DATES: The document is effective March 4, 2026.

ADDRESSES:

Docket: EPA has established a docket for this action under the Docket ID No. included in table 1 in the **SUPPLEMENTARY INFORMATION** section of this document. All documents in the docket are listed on the <https://www.regulations.gov> website. The Final Close-Out Report (FCOR, for a full site deletion) or the Partial Deletion Justification (PDJ, for a partial site deletion) is the primary document which summarizes site information to support the deletion. It is typically written for a broad, non-technical audience and this document is included in the deletion docket for each of the sites in this rulemaking. Although listed in the index, some information is not

publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Docket materials are available through <https://www.regulations.gov> or at the corresponding Regional Records Centers. Locations, addresses, and phone numbers of the Regional Records Center follows.

- Region 2 (NJ, NY, PR, VI), U.S. EPA, 290 Broadway, New York, NY 10007–1866; telephone number: (212) 637–4308.

- EPA Headquarters Docket Center Reading Room (deletion dockets for all States), William Jefferson Clinton (WJC) West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004; telephone number: (202) 566–1744.

EPA staff listed below in the **FOR FURTHER INFORMATION CONTACT** section may assist the public in answering inquiries about deleted sites, accessing deletion support documentation, and determining whether there are additional physical deletion dockets available.

FOR FURTHER INFORMATION CONTACT:

- Grace Stern and Robert Keating, U.S. EPA Region 2 (NJ, NY, PR, VI), email address: stern.grace@epa.gov, telephone number: (212) 637–4341; email address: keating.robert@epa.gov, telephone number: (212) 637–4325.
- Ashley Miller, Matt Spencer, and Jennifer Edwards, U.S. EPA Headquarters, email address: miller.ashley@epa.gov, telephone

number: (202) 566–1084; email address: spencer.matthew@epa.gov, telephone number: (202) 566–1851; email address: edwards.jennifer@epa.gov, telephone number: (202) 566–1051.

SUPPLEMENTARY INFORMATION: The NPL, created under section 105 of CERCLA, as amended, is an appendix of the NCP. The NCP establishes the criteria that EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. Partial deletion of sites is in accordance with 40 CFR 300.425(e) and are consistent with the Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List, 60 FR 55466 (November 1, 1995). The sites to be deleted are listed in table 1, including docket information containing reference documents with the rationale and data principally relied upon by the EPA to determine that the Superfund response is complete. The NCP permits activities to occur at a deleted site, or that media or parcel of a partially deleted site, including operation and maintenance of the remedy, monitoring, and five-year reviews. These activities for the site are entered in table 1 in this **SUPPLEMENTARY INFORMATION** section, if applicable, under Footnote such that; 1= site has continued operation and maintenance of the remedy, 2= site receives continued monitoring, and 3= site five-year reviews are conducted. As described in 40 CFR 300.425(e)(3) of the NCP, a site or portion of a site deleted from the NPL remains eligible for Fund-financed remedial action if future conditions warrant such actions.

TABLE 1

Site name	City/county, state	Type	Docket No.	Footnote
Corozal Well	Corozal, PR	Full	EPA-HQ-OLEM-2025-1247.	

- 1 = Site has continued operation and maintenance of the remedy.
- 2 = Site receives continued monitoring.
- 3 = Site five-year reviews are conducted.

Information concerning the site to be deleted from the NPL, and the proposed rule for the deletion of the site, are included in table 2.

TABLE 2

Site name	Date, proposed rule	FR citation	Public comment	Responsiveness summary	Full site deletion (full) or media/parcels/ description for partial deletion
Corozal Well	09/11/2025	90 FR 43988	Yes	Yes	Full.

For the site proposed for deletion, the closing date for comments in the proposed rule was October 14, 2025.

The EPA received six submissions for the Corozal Well site, each with multiple comments. The EPA prepared

a Responsiveness Summary to address public comment for the Corozal Well site full deletion. The EPA placed the

public submissions with comments and Responsiveness Summary for the Corozal Well site in the docket specified in table 1, on <https://www.regulations.gov>, and in the appropriate Regional Records Center listed in the **ADDRESSES** section.

Commenters for the Corozal Well site expressed concerns that the site proposed for deletion may still contain contamination. Groundwater sampling data and additional statistical analysis indicate that site contaminants of concern have all been below their remediation goals. In addition, maximum contaminant levels at all site wells are consistently decreasing or on stable trends. Accordingly, sampling establishes that the site does not contain contamination exceeding the maximum contaminant levels. All appropriate response actions under CERCLA have been completed. The remedy implemented at the site has achieved all remedial action objectives, the cleanup levels identified in the decision documents, and is consistent with agency policy and guidance. The EPA clarified it has determined that the implemented actions at the Corozal Well site are protective of human health and the environment. EPA has achieved cleanup levels and remedial action objectives for groundwater, and the remedy allows for unrestricted use of the groundwater. Groundwater sampling data and additional statistical analysis indicate that site contaminants of concern have all been below their remediation goals and maximum contaminant levels at all site wells with consistently decreasing or stable trends.

Other commenters expressed concern about groundwater contamination and potential source areas recontaminating the groundwater. EPA conducted source area investigations by first conducting a broad screening of soil gas around the site. The data collected in the remedial investigation did not indicate the presence of a contamination source in the soil that would continue to impact groundwater. The data quality program complied with throughout the remedial action was sufficiently rigorous to enable EPA and PRDNER to determine that remedial actions were completed as designed.

Commenters also expressed concern about the lack of water quality data for the Santana Well prior to 2010 and wanted to know who would be responsible for regulating the well into the future if the site is deleted. Agencies in Puerto Rico will be responsible for any continued monitoring and maintenance of the well. PRDNER regulates installation of wells and issues well franchises, and the Puerto Rico

Department of Health (PRDOH) regulates the operation of a water system. The Santana Well System has been regulated by the PRDOH since 2007 before the site was included on the NPL to ensure that water distributed to the public met drinking water standards; that will continue to occur after the site is deleted from the NPL. Public comments were carefully considered in the EPA's final decision to delete the Corozal Well site from the NPL. The EPA is proceeding with the full deletion action as originally proposed. The EPA concluded the deletion criteria for the site were met. EPA's decision and supporting documentation is provided in the specified docket.

The EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of a site from the NPL does not affect responsible party liability in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

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

Mark Barolo,

Office Director, Office of Superfund and Emergency Management.

For reasons set out in the preamble, the EPA amends 40 CFR part 300 as follows:

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

- 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1251 *et seq.*; 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

- 2. In appendix B to part 300, table 1 is amended by removing the entry “PR”, “Corozal Well”, “Corozal”.

[FR Doc. 2026–04320 Filed 3–3–26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 40

Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Substance Abuse Professional and the Return-to-Duty Process

AGENCY: Office of the Secretary of Transportation (OST), U.S. Department of Transportation (DOT or Department).

ACTION: Notification: The Do's and Don'ts for the Substance Abuse Professional and the Return-to-Duty Process in the U.S. Department of Transportation Drug and Alcohol Testing Program.

SUMMARY: The Substance Abuse Professional (SAP) is the ‘gatekeeper’ for the Department of Transportation’s return-to-duty process (RTD). As the ‘gatekeeper’, the SAP has a crucial role to play in recommending the level of treatment an employee may need in their path to returning to performing a safety-sensitive function after violating the DOT’s drug and alcohol testing regulations. Given this critical role, the Department is publishing this notification in response to several SAP/RTD-related issues that the Department has recently become aware of, to remind DOT-qualified SAPs to follow all the RTD process procedures in the drug and alcohol testing regulation (49 CFR part 40) and to remind DOT-regulated employers of the SAP responsibilities and RTD process.

DATES: March 4, 2026.

FOR FURTHER INFORMATION CONTACT:

Doug Simon, Director, Office of Drug and Alcohol Policy and Compliance 1200 New Jersey Ave. SE, Washington, DC 20590; telephone number 202–366–3784; ODAPCwebmail@dot.gov.

SUPPLEMENTARY INFORMATION:

I. Purpose

The Department’s drug and alcohol testing program requires that employees who test positive, refuse a test, or violate other DOT Agency testing regulation provisions to immediately be removed from performing safety-sensitive functions [§ 40.23] and to successfully complete the RTD requirements, outlined in 49 CFR part 40 (Part 40), before the employee can again perform DOT-regulated safety-sensitive functions. SAPs play an important role as “gatekeepers” for DOT’s RTD process. SAPs are responsible for several duties important to the evaluation, referral, and treatment