

Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 944

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 28, 1995.

James F. Fulton,

Acting Regional Director, Western Regional Coordinating Center.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-5254-1]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Intent to Delete Brown Wood Preserving Site from the National Priorities List; request for comments.

SUMMARY: The U.S. Environmental Protection Agency (EPA), announces its intent to delete the Brown Wood Preserving Superfund Site (Site) in Live Oak, Suwannee County, Florida, from the National Priorities List (NPL) and requests public comment on this action. The NPL is codified as Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). EPA and the State of Florida (State) have determined that all appropriate responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State have determined that the remedial actions conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments on the Notice of Intent to Delete the Site from the NPL should be submitted on or before August 7, 1995.

ADDRESSES: Comments may be mailed to: Joe Franzmathes, Director, Waste Management Division, U.S.

Environmental Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365.

Comprehensive information on this Site is maintained in the public docket, which is available for viewing at the information repositories in two locations. Requests for appointments or copies of the background information from the public docket should be directed to:

Ms. Debbie Jourdan, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30365, Phone: (404) 347-3555, ext. 6217, Hours: 8:00 a.m. to 4:00 p.m., Monday through Friday—By Appointment Only.
Suwannee River Regional Library, 207 Pine Street, Live Oak, Florida 32060, Phone: (904) 362-2317, Hours: 8:30 a.m. to 8:00 p.m., Monday and Thursday; 8:30 a.m. to 5:30 p.m., Tuesday, Wednesday, and Friday; 8:30 a.m.-4:00 p.m., Saturday.

FOR FURTHER INFORMATION CONTACT:

Randall Chaffins, U.S. Environmental Protection Agency, Region IV, Waste Management Division, South Superfund Remedial Branch, 345 Courtland Street, N.E. Atlanta, GA 30365, (404) 347-2643 ext. 6260.

SUPPLEMENTARY INFORMATION:

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I. Introduction

EPA announces its intent to delete the Site from the NPL, which constitutes Appendix B of the NCP, 40 CFR Part 300, and requests comments on this proposed deletion. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (Fund). Pursuant to Section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions in the event that conditions at the site warrant such action.

EPA will accept comments concerning this Site for thirty (30) calendar days after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the Site meets the deletion criteria.

II. NPL Deletion Criteria

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. In making this determination, EPA, in consultation with the State, considers whether any of the following criteria have been met:

(i) Responsible or other persons have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed response under CERCLA has been implemented and no further response action by responsible parties is appropriate; or

(iii) The remedial investigation has determined that the release poses no significant threat to public health or the environment; and, therefore, taking of remedial measures is not appropriate.

III. Deletion Procedures

EPA will accept and evaluate public comments before making a final decision to delete the Site. Comments from the local community may be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this Site:

(1) EPA has recommended deletion and has prepared the relevant documents.

(2) The State of Florida has concurred with the deletion decision.

(3) Concurrent with this Notice of Intent to Delete, a notice has been published in a local newspaper and has been distributed to appropriate Federal, State, and local officials, and other interested parties.

(4) EPA has made all relevant documents available at the information repositories.

Deletion of a site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designated primarily for information purposes and to assist EPA management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

The comments received during the public comment period will be evaluated before the final decision to delete the Site. EPA will prepare a Responsiveness Summary, if necessary, which will address the comments received during the public comment period.

A deletion occurs when the Regional Administrator of EPA places a Notice of Deletion in the **Federal Register**. Any deletions from the NPL will be reflected