

specific facts contained in EPA's rulemaking action approving or disapproving such plans and revisions shall have full force and effect of law as precedent for any future EPA rulemaking action on similar plans and revisions under applicable provisions of the Clean Air Act and EPA's implementing regulations. The EPA shall apply the Act and implementing regulations in like manner to like situations, and will explain any deviations from past practice based upon factual differences in different areas or developing interpretations of applicable law in future SIP approval or disapproval actions through notice-and-comment rulemaking.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[NC-96; 97-200231(b); FRL-7254-1]

Approval and Promulgation of Implementation Plans: North Carolina: Permitting Rules and Other Miscellaneous Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of North Carolina, through the North Carolina Department of Environment and Natural Resources (NCDENR), on April 16, 2001. These revisions include the adoption of rules 15A NCAC 2D .0611 through .0615, the amending of .0501, .0903 and multiple rules within Chapter .0600 Monitoring; Recordkeeping; Reporting, the adoption of rules 15A NCAC 2Q .0316 and .0317 and the amending of rules .0109, .0803 and .0805 through .0808. In the Final Rules Section of this **Federal Register**, the EPA is approving the North Carolina SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no significant material and adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this rule. The EPA will not institute a second

comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: Written comments must be received on or before September 9, 2002.

ADDRESSES: All comments should be addressed to: Randy Terry at the EPA, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960.

Copies of documents relative to this action are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960.

North Carolina Department of Environment and Natural Resources, 512 North Salisbury Street, Raleigh, North Carolina 27604.

FOR FURTHER INFORMATION CONTACT: Randy Terry, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9032. Mr. Terry can also be reached via electronic mail at terry.randy@epa.gov.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the Rules section of this **Federal Register**.

Dated: July 10, 2002.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 02-19436 Filed 8-7-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 122 and 450

[FRL-7257-1]

RIN 2040-AD42

Effluent Limitation Guidelines and New Source Performance Standards for the Construction and Development Category; Public Meetings and Change of Location for Water Docket

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is announcing public information meetings and a change in the location of the Water Docket.

DATES: The public meetings will be held on Thursday, September 5, 2002 and

September 18, 2002. The Water Docket will be closed during August 12 to 26, 2002 and will open at a new location on August 27, 2002. See "Supplementary Information" for detailed information.

FOR FURTHER INFORMATION CONTACT: Eric Strassler, EPA, e-mail strassler.eric@epa.gov or telephone 202-566-1026.

SUPPLEMENTARY INFORMATION: EPA published a proposed rule for the Construction and Development Category on June 24, 2002 (67 FR 42644) and is conducting public meetings. No registration is required for these meetings. Seating will be provided on a first-come, first-served basis.

- Thursday, September 5, 2002. 9 a.m.-noon. Sheraton Atlanta Hotel, 165 Courtland St., Atlanta, GA. Phone 404-659-6500.

- Wednesday, September 18, 2002. 9 a.m.-noon. EPA East Building, Room 1153, 1201 Constitution Avenue, NW., Washington, DC. Please note that parking is very limited in downtown Washington and use of public transit is recommended. The EPA Headquarters complex is located near the Federal Triangle Metro subway station. Upon exiting the Metro station, walk on 12th Street to Constitution Avenue, and turn right to proceed to the EPA East Building entrance.

Meeting Access: If you need special accommodations at these meetings, including wheelchair access, please contact the Eastern Research Group Conference Registration Line at 781-674-7374, at least five business days before the meeting so that appropriate arrangements can be made.

During the meetings, EPA will present information on the applicability of the proposed regulation, the technology options selected as the basis for the proposed limitations and standards, and the compliance costs and pollutant reductions. EPA will also allow time for questions and answers during these sessions. These meetings are not public hearings for the purpose of obtaining comment on the proposal. EPA will not generate a transcript of the meetings. The public may submit written comments by mail or electronically as described in the June 24, 2002 proposal. Instructions for hand delivery of written comments is provided below.

The public record for the proposed rule is available for review in EPA's Water Docket, under Docket No. W-02-06. The Water Docket will close temporarily to prepare for moving to a new location. The closure dates are August 12 to 26, 2002. The new Water Docket address is EPA West Building, Room B135, 1301 Constitution Avenue,

NW., Washington, DC, 20004. The docket will reopen on Tuesday, August 27, 2002. Beginning on that date, please call the new docket phone number, 202-566-2426, to schedule an appointment. For hand deliveries of comments on or after that date, submit such comments to the new address.

Additional information about the proposed rule is available on EPA's Web site at <http://www.epa.gov/waterscience/guide/construction/>.

Dated: August 1, 2002.

Geoffrey H. Grubbs,

Director, Office of Science and Technology.

[FR Doc. 02-20098 Filed 8-7-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-7257-2]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Del Norte County Pesticide Storage Area Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region IX is issuing a Notice of Intent to Delete the Del Norte County Pesticide Storage Area Superfund Site (Site) located in Crescent City, California, from the National Priorities List (NPL) and requests public comments on this Notice of Intent to Delete. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 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 California, through the California Department of Toxic Substances Control (DTSC), have determined that all appropriate response actions under CERCLA, other than Operation and Maintenance and Five-Year Reviews, have been completed. However, this deletion does not preclude future actions under CERCLA.

DATES: Comments concerning this Site must be received by September 9, 2002.

ADDRESSES: Written comments should be addressed to: Beatriz Bofill, Remedial Project Manager, U.S. EPA, Region IX,

SFD-7-2, 75 Hawthorne Street, San Francisco, CA 94105-3901, (415) 972-3260 or (800) 231-3075.

Information Repositories: Comprehensive information on this Site is available through the Region IX public docket which is available for viewing at the EPA Region IX Superfund Records Center, 95 Hawthorne Street, San Francisco, CA 94105-3901, (415) 536-2000 (Monday through Friday 8 a.m. to 5 p.m.); Crescent City Library, 190 Price Mall, Crescent City, CA 95531, (707) 464-9793 (Monday, Tuesday, Thursday and Friday 10 a.m. to 6 p.m., Wednesday 10 a.m. to 8 p.m., Saturday 10 a.m. to 2 p.m., Sunday closed).

FOR FURTHER INFORMATION CONTACT:

Beatriz Bofill, Remedial Project Manager, U.S. EPA, Region IX, SFD-7-2, 75 Hawthorne Street, San Francisco, CA 94105-3901, (415) 972-3260 or (800) 231-3075; or Viola Cooper, Community Involvement Coordinator, U.S. EPA, Region IX, SFD-3, 75 Hawthorne Street, San Francisco, CA 94105-3901, (415) 972-3243 or (800) 231-3075.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Site Deletion

I. Introduction

The U.S. EPA Region IX is publishing this Notice of Intent to Delete the Del Norte County Pesticide Storage Area Superfund Site from the NPL and requests public comment on this proposed action. The NPL constitutes appendix B of 40 CFR part 300, which is the National Oil and Hazardous Substances Pollution Contingency Plan, which EPA promulgated pursuant to section 105 of CERCLA, as amended. The 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. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial action in the unlikely event that conditions at the site warrant such action.

EPA will accept comments on the proposal to delete this Site for thirty (30) days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is following specifically for this Site. Section IV discusses the Del Norte County Pesticide Storage Area

Superfund Site and demonstrates how it meets the deletion criteria.

Deletion of a site from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist EPA management.

II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is appropriate. In making a determination to delete a site from the NPL, EPA, in consultation with the State, shall consider whether any of the following criteria have been met:

- i. Responsible parties or other persons have implemented all appropriate response actions required; or
- ii. All appropriate Fund-financed (Hazardous Substance Superfund Response Trust Fund) response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or
- iii. The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, the taking of remedial measures is not appropriate.

CERCLA section 101(25) defines response as removal and remedial actions, and does not include operation and maintenance activities.

Accordingly, a site may be deleted from the NPL where only operation and maintenance activities remain. Even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the deleted site above levels that allow for unlimited use and unrestricted exposure, CERCLA section 121(c), 42 U.S.C. 9621(c) requires that a subsequent review of the site be conducted at least every five years after the initiation of the remedial action at the deleted site to ensure that the action remains protective of public health and the environment. If new information becomes available which indicates a need for further action, EPA may initiate remedial actions. 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 (40 CFR 300.425(e)(3)).

III. Deletion Procedures

The following procedures apply to deletion of the Site:

(1) A ROD Amendment documents the technical infeasibility of reaching the Maximum Contaminant Level (MCL) for 1,2-dichloropropane (1,2-DCP).

(2) All remedial action has been implemented as is documented in the