

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to Class D or Class E Surface Area.*

\* \* \* \* \*

**ACE NE E4 Ainsworth, NE**

Ainsworth Municipal Airport, NE  
(Lat. 42°34'45" N., long. 99°59'35" W.)  
Ainsworth VOR/DME  
(Lat. 42°34'09" N., long. 99°59'23" W.)

That airspace extending upward from the surface within 2.4 miles each side of the Ainsworth VOR/DME 197° radial extending from the 4.3-mile radius of Ainsworth Municipal Airport to 7 miles south of the airport; and within 2.4 miles each side of the Ainsworth VOR/DME 348° radial extending from the 4.3-mile radius of Ainsworth Municipal Airport to 7 miles north of the airport.

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*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.*

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**ACE NE 35 Ainsworth, NE [Revised]**

Ainsworth Municipal Airport, NE  
(Lat. 42°34'45" N., long. 99°59'35" W.)  
Ainsworth VOR/DME  
(Lat. 42°34'09" N., long. 99°59'23" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Ainsworth Municipal Airport and within 3.9 miles each side of the 179° bearing from the airport extending from the 7.4-mile radius to 9.6 miles south of the airport.

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Issued in Kansas City, MO, on August 9, 2002.

**Paul J. Sheridan,**

*Acting Manager, Air Traffic Division, Central Region.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52 and 81**

[Region II Docket No. NJ52-243(b); FRL-7264-5]

**Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of New Jersey**

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve the State Implementation Plan

(SIP) revision submitted on January 15, 2002 by the State of New Jersey to redesignate the New Jersey portion of the New York-Northern New Jersey-Long Island Carbon Monoxide (CO) nonattainment area from nonattainment to attainment of the National Ambient Quality Standard (NAAQS) for CO. EPA is proposing to approve the New Jersey CO maintenance plan because it provides for continued maintenance of the CO NAAQS.

EPA is also proposing to approve New Jersey's CO attainment demonstration that was submitted on August 7, 1998. This will provide for full approval of New Jersey's State Implementation Plan (SIP) for CO. Additionally, EPA is proposing to approve the 1997 transportation conformity budget submitted on December 10, 1999 as an addendum to the New Jersey CO attainment demonstration submitted on August 7, 1998. Finally, EPA is proposing to approve the 2007 and 2014 transportation conformity budgets found in New Jersey's CO maintenance plan.

In the "Rules and Regulations" section of this **Federal Register**, EPA is approving the State's SIP submittal, as a direct final rule without prior proposal because the Agency views these as noncontroversial submittals and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments must be received on or before September 23, 2002.

**ADDRESSES:** All comments should be addressed to: Raymond Werner, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway, New York, New York 10007-1866.

Copies of the State submittals are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region II Office, 290 Broadway, 25th Floor, New York, New York 10007-1866.

New Jersey Department of Environmental Protection, Office of Air Quality Management, Bureau of Air

Pollution Control, 401 East State Street, CN027, Trenton, New Jersey 08625.

**FOR FURTHER INFORMATION CONTACT:** Henry Feingersh, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10278, (212) 637-4249.

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

Dated: August 7, 2002.

**William J. Muszynski,**

*P.E., Deputy Regional Administrator, Region 2.*

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**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 81**

[CA-082-FOAb; FRL-7263-7]

**Determination of Attainment of the 1-Hour Ozone Standard for San Diego County, CA**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to determine that the San Diego County area has attained the 1-hour ozone air quality standard by the deadline required by the Clean Air Act (CAA).

**DATES:** Comments on this proposal must be received by September 23, 2002.

**ADDRESSES:** Please address your comments to Dave Jesson, Air Planning Office (AIR-2), Air Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the State's submittal are available for public inspection during normal business hours at EPA's Region 9 office and at the following locations: California Air Resources Board, 1001 I Street, Sacramento, CA 95814.

San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1096.

**FOR FURTHER INFORMATION CONTACT:** Dave Jesson, US EPA Region 9, at (415) 972-3957, or [jesson.david@epa.gov](mailto:jesson.david@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Rules and Regulations section of this **Federal Register**, we are finding that the San Diego area has attained the 1-hour ozone National Ambient Air Quality Standards (NAAQS) under CAA Section 181(b)(2)(A). We are taking this action without prior proposal because we believe that the finding is not controversial. If we receive adverse

comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule. We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: August 8, 2002.

**Keith Takata,**

*Acting Regional Administrator, Region IX.*  
[FR Doc. 02-21561 Filed 8-22-02; 8:45 am]  
BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7266-7]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete Gould Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Gould Site (Site) from the National Priorities List (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 (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Oregon Department of Environmental Quality (DEQ) have determined that the remedial action for the site has been successfully executed.

**DATES:** Comments concerning the proposed deletion of this Site from the NPL may be submitted on or before September 23, 2002.

**ADDRESSES:** Comments may be mailed to: Beverly Gaines, EPA Point of Contact, U. S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Mail Stop, ECL-110, Seattle, Washington 98101.

Comprehensive information and the deletion docket for this Site are available through the Region 10 public docket which is available for reviewing at: U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue,

Superfund Records Center, Seattle, Washington 98101.

Information on the site and a copy of the deletion docket are also available for viewing at the Information Repository which is located at: Multnomah County Library, 801 SW 10th Avenue, Portland, Oregon 97204.

#### FOR FURTHER INFORMATION CONTACT:

Beverly Gaines, EPA Point of Contact, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Mail Stop, ECL-110, Seattle, Washington 98101, phone: (206) 553-1066, fax: (206) 553-0124, e-mail: [gaines.beverly@epa.gov](mailto:gaines.beverly@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis of Intended Site Deletion

#### I. Introduction

The U.S. Environmental Protection Agency (EPA) Region 10 announces its intent to delete the Gould Site, which is located in the City of Portland, Oregon, from the National Priorities List (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 (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended. 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 these sites. EPA and the State of Oregon Department of Environmental Quality (DEQ) have determined that the remedial action for the site has been successfully executed.

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 the procedures EPA is using for this action. Section IV discusses the Gould Site and explains how the site meets the deletion criteria.

#### II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from, or recategorized on the NPL, where no further response is appropriate. In making a determination to delete a site from the NPL, EPA shall consider, in

consultation with the State, whether any of the following criteria have been met:

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

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further action by responsible parties is appropriate, or

(iii) The Remedial Investigation has shown that the site poses no significant threat to public health or the environment and, therefore, remedial measures are not appropriate. Even if a site is deleted from the NPL, where hazardous substances, pollutants or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. If new information becomes available which indicates a need for further action, EPA may initiate additional remedial actions. Whenever there is a significant release from a deleted site from the NPL, the site may be restored to the NPL without application of the Hazard Ranking System.

In the case of this site, the selected remedy is protective of human health and the environment; however, the remedy will leave waste on site above levels that allow for unlimited use and unrestricted exposure. A review of the selected remedy will occur at least every five years from initiation of the remedial action. The next five-year review will be done before September 28, 2002.

#### III. Deletion Procedures

The following procedures were used for the intended deletion of this site: (1) All appropriate response under CERCLA has been implemented and no further action by EPA is appropriate; (2) the State of Oregon has concurred with the proposed deletion decision; (3) a notice has been published in the local newspapers and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and (4) all relevant documents have been made available in the local site information repositories.

Deletion of the site from the NPL does not in itself, create, alter or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management. As mentioned in section II of this notice, Sec. 300.425(e)(3) of the NCP states that the