with the ''no NO_X increase'' approach taken toward RFG in section 211(k). API also notes that the 1991 negotiated rulemaking agreement does not address a Phase II NO_X reduction, and that the focus of debate was whether *de minimis* increases in NO_X would satisfy the no NO_X increase standard. For discussion of these arguments in the RFG final rule, see, for example, 59 FR 7744–7745.

B. Air Quality Benefits

API's second argument is that the ozone benefits of the Phase II RFG NO_X standard are overstated. API argues that the primary basis for the Phase II NO_X standard is ozone attainment, and cites data from EPA's Trends Report (U.S. EPA, National Air Quality and Emissions Trends Report 1993, EPA 454/R–94–026, October 1994 at 6.) that progress toward ozone attainment has been made. API also notes that the Act imposes substantial obligations on states to attain ozone standards.

API claims that in promulgating the Phase II RFG NO_X standard, EPA emphasized those parts of studies (such as Rethinking the Ozone Problem in Urban and Regional Air Pollution, National Research Council, National Academy Press, Washington, D.C. 1991) that showed NO_X to be an effective ozone control strategy, while discounting those which indicate that NO_X control can be counterproductive.

API discusses EPA's authority under CAA section 182 to grant waivers from certain CAA local NO_X reduction requirements. The petition states that the section 182(f) waiver requirement recognizes that local NO_X reductions may not be necessary or helpful to attainment of the ozone standard. Although the overwhelming majority of section 182(f) waivers have been granted because additional NO_X reductions are not needed for attainment of the ozone NAAQS, the petition notes that, in a few cases, photochemical modeling has indicated that increased NO_X reductions may exacerbate peak ozone in an urban core. The petition cites three cases where modeling has shown that increased NO_X reductions may exacerbate peak ozone concentrations: Chicago, Milwaukee, and Houston, three of the nine cities required to use RFG. API notes the conditional nature of section 182(f) waivers.

API argues that given continued progress toward ozone NAAQS attainment, imposition of Phase II NO_X reductions applicable in all RFG areas is ''plainly incongruous'' with the granting of waivers under section 182(f). API also argues that EPA's claim that air quality benefits in addition to reduced ozone will result from the Phase II NO_X standard (e.g., less acid rain, reduced nitrate deposition, and improved visibility), is speculative. These arguments are discussed in the RFG final rule at, for example, 59 FR 7746 and 7751.

C. Cost-effectiveness

API argues that EPA has understated the impact of the Phase II NO_X reduction standard on costs and refiner flexibility. API claims that if more accurate sulfur removal (''desulfurization'') costs were employed, EPA's cost per ton of NO_X removed would increase to over $10,000. Moreover, API argues that EPA's cost effectiveness analysis does not take into account that NO_X reductions in some areas do not contribute to ozone attainment; API claims that if the benefit of NO_X reductions in Chicago, Milwaukee and Houston, which have been granted conditional section 182(f) waivers, is reduced to zero or less, EPA's cost-effectiveness estimate would rise from $5,000 to $7,500 per ton.

API also argues that EPA should have included a more extensive array of stationary source NO_X control measures that compare favorably to EPA's cost-effectiveness estimate, particularly if that estimate is changed in light of API's arguments on desulfurization costs and reduced ozone benefits.

Finally, API argues that major stationary sources offer more potential for overall reduction in air pollution, and that the cost-effectiveness of Phase II NO_X controls is higher than stationary combustion sources with lower potential for overall NO_X reduction. API argues that, unlike mobile source control, major stationary source control can be targeted to avoid the cost of NO_X control where it is not needed and any adverse effect on ozone because of atmospheric chemistry. API's arguments are discussed in the RFG final rule at, for example, 59 FR 7752–7754.

III. Request for Comment

EPA requests comment on all the issues raised in API's petition for reconsideration. EPA is also interested in the potential impact of a delay in implementation or elimination of the Phase II RFG NO_X standard on state implementation plans for attaining compliance with the ozone NAAQS. EPA solicits new information on costs and air quality benefits associated with the Phase II RFG NO_X reduction standard, including non-ozone air quality benefits.

IV. Conclusion

After considering all public comments and any other relevant information available to EPA, the agency will make a decision regarding API's petition for reconsideration.

Dated: June 28, 1996.

Mary D. Nichols,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 96–17318 Filed 7–8–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 300

[FRL–5533–1]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of the Carter Lee Lumber Company Superfund Site from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Carter Lee Lumber Company Site in Indiana from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. This action is being taken by EPA and the State of Indiana, because it has been determined that Responsible Parties have implemented all appropriate response actions required. Moreover, EPA and the State of Indiana have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: July 9, 1996.

FOR FURTHER INFORMATION CONTACT: Deborah Orr at (312) 886–7576 (SR–6J), Remedial Project Manager, Superfund Division, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: Hawthorn Community Center, 2440 West Ohio Street, Indianapolis, IN and the offices of the Indiana Department of Environmental management, 100 N. Senate Avenue, N1255, Indianapolis, IN. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. The contact for the Regional Docket Office is Jan Pfundheller (H–7J), U.S.

EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353–5821.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is Carter Lee Lumber Company Site located in Indianapolis, Indiana. A Notice of Intent to Delete for this site was published May 8, 1996 (61 FR 20785). The closing date for comments on the Notice of Intent to Delete was June 7, 1996. EPA received no comments and therefore no Responsiveness Summary was prepared.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

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

Dated: June 24, 1996.

David A. Ullrich,

Acting Regional Administrator, U.S. EPA, Region V.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

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

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.

Appendix B—[Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the Site ''Carter Lee Lumber Company Site, Indianapolis, Indiana''.

[FR Doc. 96–17322 Filed 7–8–96; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 42

[CGD 96–006]

RIN 2115–AF29

Extension of Great Lakes Load Line Certificate

AGENCY: Coast Guard, DOT.

ACTION: Direct final rule.

SUMMARY: By this direct final rule, the Coast Guard is revising the limit on the number of days that a Great Lakes Load Line Certificate extension may be granted from 90 days to 365 days. This action is taken to extend the Great Lakes load line certificate interval from the current 5 years and 90 days maximum interval to a 6-year maximum interval.

DATES: This rule is effective on October 7, 1996, unless the Coast Guard receives written adverse comments or written notice of intent to submit adverse comments on or before September 9, 1996. If such comments or notice are received, the Coast Guard will withdraw this direct final rule, and a timely notice of withdrawal will be published in the Federal Register.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G–LRA/3406) (CGD 96–006), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LCDR Mark R. DeVries, G–MOC, (202) 267–0009.

SUPPLEMENTARY INFORMATION:

Request for Comments

Any comments must identify the names and address of the person submitting the comment, specify the rulemaking docket (CGD 96–006) and the specific section of this rule to which each comment applies, and give the reason for each specific comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8+ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

Regulatory Information

The Coast Guard is publishing a direct final rule, the procedures of which are outlined in 33 CFR 1.05–55, because no adverse comments are anticipated. If no adverse comments or any written notice of intent to submit adverse comment are received within the specified comment period, this rule will become effective as stated in the **DATES** section. In that case, approximately 30 days prior to the effective date, the Coast Guard will publish a notice in the Federal Register stating that no adverse comment was received and confirming that this rule will become effective as scheduled. However, if the Coast Guard receives written adverse comment or written notice of intent to submit adverse comment, the Coast Guard will publish a notice in the final rule section of the Federal Register to announce withdrawal of all or part of this direct final rule. If adverse comments apply to only part of this rule, and it is possible to remove that part without defeating the purpose of this rule, the Coast Guard may adopt as final those parts of this rule on which no adverse comments were received. The part of this rule that was the subject of adverse comment will be withdrawn. If the Coast Guard decides to proceed with a rulemaking following receipt of adverse comments, a separate notice of proposed rulemaking (NPRM) will be published and a new opportunity for comment provided.

A comment is considered ''adverse'' if the comment explains why this rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change.

Background and Purpose

Before 1973, the load line intervals for vessels operating on the Great Lakes was 6 years in length. In 1973, the load line regulations were revised and the 6-year interval was reduced to 5 years with a provision to allow for a 90-day extension. The reduction in the interval was because of the higher frequency and shorter length of Great Lakes voyages, the presumed safety risks resulting from the increased amount of dockings, and the Great Lakes climatic conditions.

This assumption has proven to be incorrect. The Lake Carriers' Association, whose membership includes the operators of 59 U.S.-Flag freightships on the Great Lakes, has