Order 13132 (64 FR 43255, August 10, 1999). This rule authorizes pre-existing State rules. Thus, Executive Order 13132 does not apply to this rule.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (59 FR 22951, November 9, 2000), requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” This rule does not have tribal implications, as specified in Executive Order 13175 because EPA retains its authority over Indian Country. Thus, Executive Order 13175 does not apply to this rule.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This action is not subject to Executive Order 13045 because it approves a state program.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This rule is not subject to Executive Order 13211, “Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a “significant regulatory action” as defined under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (“NTTAA”), Public Law 104–113, 12(d) (15 U.S.C. 272), directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards. This rulemaking does not involve technical standards. Therefore, EPA is not considering the use of any voluntary consensus standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. EPA has determined that this rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations. This rule does not affect the level of protection provided to human health or the environment because this rule authorizes pre-existing State rules which are no less stringent than existing Federal requirements.

K. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of the rule in today’s Federal Register. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 281

Environmental protection, Administrative practice and procedure, Hazardous materials, State program approval, Underground storage tanks.

Authority: This document is issued under the authority of Section 9004 of the Resource Conservation and Recovery Act, 42 U.S.C. 6991c.

Dated: August 31, 2011.

Michelle L. Pirzadeh,
Acting Regional Administrator, Region 10.
[FR Doc. 2011–23816 Filed 9–15–11; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

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

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of direct final rule.

SUMMARY: On July 29, 2011, the Environmental Protection Agency (EPA) published a Notice of Intent to Delete and a Direct Notice of Deletion for the State Marine of Port Arthur (SMPA) Superfund Site from the National Priorities List. The EPA is withdrawing the Final Direct Notice of Deletion because the deletion notices were published in the Federal Register without Headquarters’ concurrence as required under the Comprehensive Environmental Response, Compensation, and Liability Act Delegation of Authority.

DATES: Effective Date: This withdrawal of the direct final action (76 FR 45428) is effective as of September 16, 2011.

ADDRESSES: Information Repositories: Comprehensive information on the SMPA Superfund Site, as well as the comments that we received during the comment period, are available in Docket EPA–HQ–SFUND–1998–0007, accessed through the http://www.regulations.gov Web site. Although listed in the docket index, some information is not publicly available (e.g., CBI or other information whose disclosure is restricted by statute). Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in http://www.regulations.gov or in hard copy at:

1. U.S. Environmental Protection Agency, Region 6; 1445 Ross Avenue, Suite 700; Dallas, Texas 75202–2733; Hours of operation: Monday thru Friday, 9 a.m. to 12 p.m. and 1 to 4 p.m. Contact: Rafael A. Casanova (214) 665–7437.

2. Port Arthur Public Library; 4615 9th Avenue; Port Arthur, Texas 77642–5799; Hours of operation: Monday thru Thursday, 9 a.m. to 9 p.m.; Friday, 9 a.m. to 6 p.m.; Saturday, 9 a.m. to 5 p.m.; and Sunday, 2 to 5 p.m.

FOR FURTHER INFORMATION CONTACT:
Rafael A. Casanova, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF–RA); 1445 Ross Avenue, Suite
1200; Dallas, Texas 75202–2733; telephone number: (214) 665–7437; e-mail: casanova.rafael@epa.gov.

SUPPLEMENTARY INFORMATION:
List of Subjects in 40 CFR Part 300
Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.


Dated: September 6, 2011.
Al Armendariz, Regional Administrator, Region 6.

Accordingly, the amendment to Table 1 of Appendix B to CFR part 300 to remove the entry “State Marine of Port Arthur Superfund Site,” “Port Arthur, Texas,” is withdrawn as of September 16, 2011.

FOR FURTHER INFORMATION CONTACT: Rafael A. Casanova, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF–RA); 1445 Ross Avenue, Suite 700; Dallas, Texas 75202–2733; telephone number: (214) 665–7437; e-mail: casanova.rafael@epa.gov.

SUPPLEMENTARY INFORMATION:
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Dated: September 6, 2011.
Al Armendariz, Regional Administrator, Region 6.

Accordingly, the amendment to Table 1 of Appendix B to CFR part 300 to remove the entry “Palmer Barge Line Superfund Site,” “Palmer Barge Line (PBL) Superfund Site, Port Arthur, Texas,” is withdrawn as of September 16, 2011.

FOR FURTHER INFORMATION CONTACT: Rafael A. Casanova, Remedial Project Manager; U.S. Environmental Protection Agency, Region 6; Superfund Division (6SF–RA); 1445 Ross Avenue, Suite 1200; Dallas, Texas 75202–2733; telephone number: (214) 665–7437; e-mail: casanova.rafael@epa.gov.

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 300

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

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of direct final rule.

SUMMARY: On July 29, 2011, the Environmental Protection Agency (EPA) published a Notice of Intent to Delet...