

factors, and in relation to relevant statutory and regulatory requirements.

II. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

B. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, the EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to state, local, or tribal governments in the aggregate, or to private sector, of \$100 million or more. Under section 205, the EPA must select the most cost effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves preexisting requirements under state or local law, and imposes no new requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

C. Regulatory Flexibility Act

SIP approvals under section 110 and subchapter I, Part D of the Clean Air Act (CAA) do not create any new requirements but simply approve requirements that the state is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids the EPA to base its actions concerning SIPs on such grounds (*Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2)).

D. 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, the 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 this rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 22, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 25, 1997.

Dennis Grams, P.E.,
Regional Administrator.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart Q—Iowa

2. Section 52.820 is amended by adding paragraph (c)(64) to read as follows:

§ 52.820 Identification of plan.

* * * * *

(c) * * *

(64) In correspondence dated February 16, 1996, February 19, 1996, and February 27, 1996, the Director of the Iowa Department of Natural Resources (IDNR) submitted revisions to

the State Implementation Plan concerning open burning, new source review (NSR) requirements for nonattainment areas, test method and definition updates.

(i) Incorporation by reference.

(A) "Iowa Administrative Code," section 567-22.8(1), effective July 12, 1995, containing a permit by rule for spray booths.

(B) "Iowa Administrative Code," sections 567-23.2(3); 23.2(4), effective April 19, 1995, addressing open burning.

(C) "Iowa Administrative Code," sections 567-22.5 (2)-(6), (8)-(10), effective March 20, 1996. These rules address NSR requirements in nonattainment areas.

(D) "Iowa Administrative Code," sections 567-20.2; 22.4(1); and 25.1(9), effective July 12, 1995. These rules address test method and definition updates.

(E) "Iowa Administrative Code," section 567-31.1, effective February 22, 1995. This rule addresses permit requirements relating to nonattainment areas.

(ii) Additional material.

(A) Letter dated July 11, 1997, from Pete Hamlin, IDNR, to Wayne Leidwanger, EPA, requesting approval under 112(l).

[FR Doc. 97-28144 Filed 10-22-97; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[KY95-9722a; IN82a-1; FRL-5901-2]

Clean Air Act Promulgation of Extension of Attainment Date for Ozone Nonattainment Area; Kentucky; Indiana

AGENCY: Environmental Protection Agency (USEPA).

ACTION: Direct final rule.

SUMMARY: The U.S. Environmental Protection Agency (USEPA) is extending the attainment date for the Louisville interstate moderate ozone nonattainment area from November 15, 1996, to November 15, 1997. This extension is based in part on monitored air quality readings for the national ambient air quality standard (NAAQS) for ozone during 1996. Accordingly, USEPA is revising the table in the Code of Federal Regulations concerning ozone attainment dates in this area. In this action, USEPA is approving the States' request through a "direct final" rulemaking; the rationale for this

approval is set forth. Elsewhere in this **Federal Register**, USEPA is proposing approval and soliciting written comment on this action; if adverse written comments are received, USEPA will withdraw the direct final rule and address the comments received in a new final rule; otherwise no further rulemaking will occur on this attainment date extension request.

DATES: This action is effective December 22, 1997 unless substantive written adverse comments not previously addressed by the State or USEPA are received by November 24, 1997. If the effective date is delayed, timely notice will be published in the **Federal Register**.

ADDRESSES: Written comments may be mailed to Joey LeVasseur at the USEPA Region 4 address listed below or to J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Region 5 at the address listed below. Copies of the material submitted by the Kentucky Natural Resources and Environmental Protection Cabinet (KNREPC) may be examined during normal business hours at the following locations:

Environmental Protection Agency,
Atlanta Federal Center, Region 4 Air
Planning Branch, 61 Forsyth Street
S.W., Atlanta, Georgia 30303-3104.

Natural Resources and Environmental
Protection Cabinet, 803 Schenkel
Lane, Frankfort, Kentucky 40601.

Copies of the materials submitted by the Indiana Department of Environmental Management (IDEM) may be examined during normal business hours at the following locations:

Regulation Development Section, Air
Programs Branch (AR-18J), U.S.
Environmental Protection Agency,

Region 5, 77 West Jackson Boulevard,
Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Joey
LeVasseur at (404) 562-9035 or
Randolph O. Cano at (312) 886-6036.

SUPPLEMENTARY INFORMATION:

**Request for Attainment Date Extension
for the Louisville Moderate Ozone
Nonattainment Area**

On January 8, 1996, KNREPC requested a one-year attainment date extension for the Kentucky portion of the Louisville moderate ozone nonattainment area which consists of Jefferson, Bullitt, and Oldham Counties in Kentucky. Similarly, on November 15, 1996, Indiana requested a one-year attainment date extension for the Indiana portion of the Louisville moderate ozone nonattainment area which consists of Clark and Floyd Counties. Since this area is classified as a moderate ozone nonattainment area, the statutory ozone attainment date prescribed by section 181(a) of the Clean Air Act (CAA) is November 15, 1996. The State submittals request that the attainment date be extended to November 15, 1997.

**CAA Requirements and USEPA Actions
Concerning Designation and
Classification**

Section 107(d)(4) of the CAA requires the States and USEPA to designate areas as attainment, nonattainment, or unclassifiable for ozone as well as other pollutants for which national ambient air quality standards (NAAQS) have been set. Section 181(a)(1) requires that ozone nonattainment areas be classified as marginal, moderate, serious, severe, or extreme, depending on their air quality. In a series of **Federal Register** documents, USEPA completed this process by designating and classifying

all areas of the country for ozone. See, e.g., 56 FR 58694 (Nov. 6, 1991); 57 FR 56762 (Nov. 30, 1992).

Areas designated nonattainment for ozone are required to meet attainment dates specified under the CAA. The Louisville ozone nonattainment area was designated nonattainment and classified moderate for ozone pursuant to 56 FR 58694 (November 6, 1991). By this classification, its attainment date became November 15, 1996. A discussion of the attainment dates is found in 57 FR 13498 (April 16, 1992) (the General Preamble).

**CAA Requirements Concerning Meeting
the Attainment Date**

Section 181(b)(2)(A) requires the Administrator, within six months of the attainment date, to determine whether ozone nonattainment areas had attained the NAAQS. For ozone, USEPA determines attainment status on the basis of the expected number of exceedances of the NAAQS over the most recent three-year period. See General Preamble, 57 FR 13506. In the case of moderate ozone nonattainment areas, the three-year period is 1994-1996.

A review of the actual ambient air quality ozone data from the USEPA Aerometric Information Retrieval System (AIRS) shows that five air quality monitors located in the Louisville ozone nonattainment area recorded exceedances of the NAAQS for ozone during the three year period from 1994 to 1996. The exceedances at the Clark County, Indiana, monitor averaged more than 1.0 over the three year period, which constitutes a violation of the ozone NAAQS for the Louisville area during this three-year period. Thus, the area did not meet the November 15, 1996 attainment date. (See Table 1.)

TABLE 1.—EXCEEDANCES OF THE OZONE AIR QUALITY STANDARD IN THE LOUISVILLE AREA 1994 TO 1996

Site	County/State	Year	Exceedances measured	Expected exceedances
Charlestown	Clark, IN	1994	3	3.0
Charlestown	Clark, IN	1995	2	2.1
Charlestown	Clark, IN	1996	0	0.0
New Albany	Floyd, IN	¹ 1994
New Albany	Floyd, IN	1995	1	1.0
New Albany	Floyd, IN	1996	1	1.0
Shepherdsville	Bullitt, KY	1994	0	0.0
Shepherdsville	Bullitt, KY	1995	0	0.0
Shepherdsville	Bullitt, KY	1996	0	0.0
Bates Elementary	Jefferson, KY	1994	0	0.0
Bates Elementary	Jefferson, KY	1995	1	1.0
Bates Elementary	Jefferson, KY	1996	0	0.0
Watson Lane	Jefferson, KY	1994	1	1.0
Watson Lane	Jefferson, KY	1995	1	1.0
Watson Lane	Jefferson, KY	1996	1	1.0
WLKY TV	Jefferson, KY	1994	0	0.0
WLKY TV	Jefferson, KY	1995	0	0.0

TABLE 1.—EXCEEDANCES OF THE OZONE AIR QUALITY STANDARD IN THE LOUISVILLE AREA 1994 TO 1996—Continued

Site	County/State	Year	Exceedances measured	Expected exceedances
WLKY TV	Jefferson, KY	1996	1	1.1
Buckner	Oldham, KY	1994	0	0.0
Buckner	Oldham, KY	1995	0	0.0
Buckner	Oldham, KY	1996	0	0.0

¹ The New Albany ozone monitor began operation in 1977, but stopped collecting ozone data in 1980. Ozone monitoring at this site resumed on April 1, 1995.

CAA section 181(b)(2)(A) further states that, for areas classified as marginal, moderate, or serious, if the Administrator determines that the area did not attain the standard by its attainment date, the area must be reclassified to the next higher classification. However, CAA section 181(a)(5) provides an exemption from this reclassification requirement. Under this exemption, USEPA may grant up to two, one-year extensions of the attainment date under specified conditions:

Section 181(a)(5) states that upon application by any State, the Administrator may extend [the attainment date] for one additional year (referred to as the "Extension Year") if:

(A) The State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and

(B) No more than one exceedance of the national ambient air quality standard level for ozone has occurred in the area in the year preceding the Extension Year.

The USEPA interprets this provision to authorize the granting of a one-year extension upon request by a State, under the following minimum conditions.

(1) The State has complied with or is taking significant steps to comply with all requirements and commitments in the USEPA approved ozone State Implementation Plan (SIP) for the area, and

(2) The area has no more than one measured exceedance of the ozone NAAQS at each monitor in the area during the year that includes the attainment date (or the subsequent year, if a second one-year extension is being requested).

Compliance With State Implementation Plans

Indiana and Kentucky have complied with the CAA SIP revision requirements for moderate ozone nonattainment areas. Both States certified they are implementing their ozone SIPs for the Louisville area. Therefore, the implementation plan criterion for the attainment date extension is satisfied.

All of the states' SIP submittals may be examined during regular business hours at the EPA Regional offices listed above in the addresses section of this notice.

Compliance With Air Quality Monitoring Criteria

In the extension requests, Kentucky and Indiana indicated that no monitor in the Louisville area had more than one exceedance each during 1996. The 1996 monitoring data has been quality controlled and quality assured, as has the data for 1994 and 1995. These data are summarized in Table 1. Three of the seven ozone monitors in the Louisville area recorded one exceedance each during 1996, but none recorded more than one exceedance in 1996. This satisfies the air quality data criterion for the attainment date extension.

USEPA has reviewed the States' formal extension requests, and has determined that the requirements for a one-year extension of the attainment date have been fulfilled. USEPA is therefore approving the Kentucky and Indiana attainment date extension requests for the Louisville ozone nonattainment area. As a result, the Kentucky Control Strategy for Ozone which is codified at 40 CFR 52.930 and the Indiana Control Strategy for Photochemical Oxidants (hydrocarbons) which is codified at 40 CFR 52.777 are being amended to record these attainment date extensions. The chart in 40 CFR 81.318 entitled "Kentucky-Ozone" is being modified to reflect USEPA's approval of Kentucky's attainment date extension request. The chart in 40 CFR 81.315 entitled "Indiana-Ozone" is also being modified to reflect USEPA's approval of Indiana's attainment date extension request.

Final Action

USEPA is approving the attainment date extension requests submitted by Kentucky and Indiana to extend the Louisville moderate ozone nonattainment area attainment date from November 15, 1996 to November 15, 1997 without prior proposal because the Agency views this as a noncontroversial amendment and

anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, USEPA is proposing to approve this part 52 and part 81 action should written adverse or critical comments be filed. This action will be effective December 22, 1997 unless, by November 24, 1997 written adverse or critical comments are received.

If the USEPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All written public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. USEPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective on December 22, 1997.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government

entities with jurisdiction over populations of less than 50,000.

Extension of an area's attainment date under the CAA does not impose any new requirements on small entities. Extension of an attainment date is an action that affects a geographic area and does not impose any regulatory requirements on sources. USEPA certifies that the approval of the attainment date extension will not affect a substantial number of small entities.

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, USEPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, USEPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires USEPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

USEPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. 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, USEPA 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).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 22, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Ozone.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: August 20, 1997.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

Dated: August 19, 1997.

Michelle D. Jordan,

Acting Regional Administrator, Region 5.

Parts 52 and 81 of chapter I, title 40 of the Code of Federal Regulations are amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

Subpart S—Kentucky

2. Section 52.930 is amended by adding paragraph (e) to read as follows:

§ 52.930 Control strategy: Ozone.

* * * * *

(e) Kentucky's November 15, 1996, request for a one-year attainment date extension for the Kentucky portion of the Louisville moderate ozone nonattainment area which consists of Jefferson County and parts of Bullitt and Oldham Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1997.

Subpart P—Indiana

3. Section 52.777 is amended by adding paragraph (q) to read as follows:

§ 52.777 Control strategy: Photochemical oxidants (hydrocarbons).

* * * * *

(q) Indiana's November 15, 1996, request for a one-year attainment date extension for the Indiana portion of the Louisville moderate ozone nonattainment area which consists of Clark and Floyd Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1997.

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

2. In § 81.318, the "Kentucky—Ozone" table is amended by revising the entry for the "Louisville Area" and adding footnote 2 to read as follows:

§ 81.318 Kentucky.

* * * * *

KENTUCKY-OZONE

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
<p>Louisville Area:</p> <p>Bullitt County (part): The area boundary is as follows: Beginning at the intersection of Ky 1020 and the Jefferson-Bullitt County Line proceeding to the east along the county line to the intersection of county road 567 and the Jefferson-Bullitt County Line; proceeding south on county road 567 to the junction with Ky 1116 (also known as Zoneton Road); proceeding to the south on Ky 1116 to the junction with Hebron Lane; proceeding to the south on Hebron Lane to Cedar Creek; proceeding south on Cedar Creek to the confluence of Floyds Fork turning southeast along a creek that meets Ky 44 at Stallings Cemetery; proceeding west along Ky 44 to the eastern most point in the Shepherdsville city limits; proceeding south along the Shepherdsville city limits to the Salt River and west to a point across the river from Mooney Lane; proceeding south along Mooney Lane to the junction of Ky 480; proceeding west on Ky 480 to the junction with Ky 2237; proceeding south on Ky 2237 to the junction with Ky 61 and proceeding north on Ky 61 to the junction with Ky 1494; proceeding south on Ky 1494 to the junction with the perimeter of the Fort Knox Military Reservation; proceeding north along the military reservation perimeter to Castleman Branch Road; proceeding north on Castleman Branch Road to Ky 44; proceeding a very short distance west on Ky 44 to a junction with Ky 2723; proceeding north on Ky 2723 to the junction of Chillicoop Road; proceeding northeast on Chillicoop Road to the junction of KY 2673; proceeding north on KY 2673 to the junction of KY 1020; proceeding north on KY 1020 to the beginning; unless a road or intersection of two or more roads defines the nonattainment boundary, the area shall extend outward 750 feet from the center of the road or intersection.</p>		Nonattainment		Moderate. ²
Jefferson County		Nonattainment		Moderate. ²
<p>Oldham County (part): The area boundary is as follows: Beginning at the intersection of the Oldham-Jefferson County Line with the southbound lane of Interstate 71; proceeding to the northeast along the southbound lane of Interstate 71 to the intersection of Ky 329 and the southbound lane of Interstate 71; proceeding to the northwest on Ky 329 to the intersection of Zaring Road and Ky 329; proceeding to the east-northeast on Zaring Road to the junction of Cedar Point Road and Zaring Road; proceeding to the north-northeast on Cedar Point Road to the junction of Ky 393 and Cedar Point Road; proceeding to the south-southeast on Ky 393 to the junction of (the access road on the north side of Reformatory Lake and the Reformatory); proceeding to the east-northeast on the access road to the junction with Dawkins Lane and the access road; proceeding to follow an electric power line east-northeast across from the junction of county road 746 and Dawkins Lane to the east-northeast across Ky 53 on to the La Grange Water Filtration Plant; proceeding on to the east-southeast along the power line then south across Fort Pickens Road to a power substation on Ky 146; proceeding along the power line south across Ky 146 and the Seaboard System Railroad track to adjoin the incorporated city limits of La Grange; then proceeding east then south along the La Grange city limits to a point abutting the north side of Ky 712; proceeding east-southeast on Ky 712 to the junction of Massie School Road and Ky 712; proceeding to the south-southwest on Massie School Road to the intersection of Massie School Road and Zale Smith Road; proceeding northeast on Zale Smith Road to the junction of</p>				

KENTUCKY-OZONE—CONTINUED

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
KY 53 and Zale Smith Road; proceeding on Ky 53 to the north-northwest to the junction of New Moody Lane and Ky 53; proceeding on New Moody Lane to the south-southwest until meeting the city limits of La Grange; then briefly proceeding north following the La Grange city limits to the intersection of the northbound lane of Interstate 71 and the La Grange city limits; proceeding southwest on the northbound lane of Interstate 71 until inter-secting with the North Fork of Currys Fork; proceeding south-southwest beyond the con-fluence of Currys Fork to the south-southwest beyond the confluence of Floyds Fork continuing on to the Oldham-Jefferson County Line; proceeding northwest along the Oldham-Jefferson County Line to the beginning; unless a road or intersection of two or more roads defines the nonattainment boundary, the area shall extend outward 750 feet from the center of the road or intersection.		Nonattainment		Moderate. ²
*	*	*	*	*

¹ This date is November 15, 1990, unless otherwise noted.
² Attainment date extended to November 15, 1997.

* * * * *
 3. In § 81.315, the “Indiana—Ozone” table is amended by revising the entry

for the “Louisville Area” and adding footnote 2 to read as follows:

§ 81.315 Indiana.

* * * * *

INDIANA-OZONE

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
*	*	*	*	*
Louisville Area:				
Clark County	Nonattainment	Moderate ²		
Floyd County	Nonattainment	Moderate ²		
*	*	*	*	*

¹ This date is November 15, 1990, unless otherwise noted.
² Attainment date extended to November 15, 1997.

* * * * *
 [FR Doc. 97-28141 Filed 10-22-97; 8:45 am]
 BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-65912-5]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the LaGrand Sanitary Landfill Superfund Site from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the LaGrand Sanitary Landfill Superfund Site in Minnesota 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 Minnesota, because it has been determined that all appropriate Fund-financed response actions under CERCLA have been implemented and that no further response by responsible parties is appropriate. Moreover, EPA and the State of Minnesota have determined that remedial actions

conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: October 23, 1997.

FOR FURTHER INFORMATION CONTACT: Gladys Beard at (312) 886-7253 (SR-6J), Associate 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: The Alexandria Public Library, Seventh and Fillmore, Alexandria, MN 56308. 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.