

### Unfunded Mandates

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

### List of Subjects in 30 CFR Part 917

Intergovernmental relations, Surface mining, Underground mining.

Dated: August 27, 1997.

**Allen D. Klein,**

*Regional Director, Appalachian Regional Coordinating Center.*

[FR Doc. 97-23583 Filed 9-4-97; 8:45 am]

BILLING CODE 4310-05-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 9 and 86

[FRL-5881-4]

### Proposed Amendments to the Test Procedures for Heavy-Duty Engines, and Light-Duty Vehicles and Trucks and Proposed Amendments to the Emission Standard Provisions for Gaseous Fueled Vehicles and Engines

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This notice proposes the promulgation of amendments to several sections of the heavy-duty engine test procedure regulations in 40 CFR part 86. These proposed changes are needed in order to accommodate the use of new testing equipment, to provide greater flexibility in the type of testing equipment used and to ensure uniform calibration and use of the testing equipment. The proposed amendments will ensure the continued validity of testing results and ensure that heavy-duty engines are being exercised appropriately over the test procedures. This document also proposes to make limited changes to the light-duty vehicle and truck test procedure regulations and the gaseous fuel emission standards in 40 CFR part 86. Because the Agency views the provisions of this proposed rulemaking as noncontroversial and does not expect to receive adverse comments, these provisions are also being issued as a direct final rule in the Final Rules section of this **Federal Register**.

**DATES:** Comments on the regulations proposed by this action must be received on or before October 6, 1997 or thirty days after the date of a public hearing, if one is held. If no party notifies EPA by October 6, 1997 that

adverse or critical comments will be submitted on this proposal, no further activity is contemplated in relation to this proposed rule and the direct final rule in the Final Rules section of this **Federal Register** will automatically go into effect on the date specified in that rule. If adverse comments are timely received on the direct final rule, the rule will be withdrawn and all public comment received on it will be addressed in a subsequent final rule based on the proposed rule. Because the Agency will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

The Agency will hold a public hearing regarding these proposed amendments if it receives a request to testify at a hearing by October 6, 1997. Members of the public should call the contact person indicated below to notify EPA of their interest in testifying at a hearing. Interested parties may call the contact person after October 6, 1997 to determine whether and where the hearing will be held.

**ADDRESSES:** Interested parties may submit written comments in response to this document (in duplicate, if possible) to Public Docket A-96-07 at Air Docket Section, U.S. Environmental Protection Agency, First Floor, Waterside Mall, Room M-1500, 401 M Street SW., Washington, DC 20460. A copy of the comments should also be sent to the contact person listed below.

Materials relevant to this document have been placed in Docket No. A-96-07 by EPA. The docket is located at the above address and may be inspected from 8:00 a.m. to 5:30 p.m. on weekdays. EPA may charge a reasonable fee for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jaime Pagán, U.S. EPA, Engine Programs and Compliance Division, 2565 Plymouth Road, Ann Arbor, MI 48105. Telephone (313) 668-4574.

**SUPPLEMENTARY INFORMATION:** EPA's Smoke Exhaust and Gaseous and Particulate Exhaust Test Procedures for certification and Selective Enforcement Audit (SEA) provide a consistent method for testing and obtaining emissions data from heavy-duty engines. This notice proposes the promulgation of amendments to the test procedures in order to accommodate the use of new testing equipment and clarify certain issues that have been identified since these procedures were first published.

Over the last few years, EPA and the Engine Manufacturers Association (EMA) have worked together to identify

the issues that needed revision or clarification. During these interactions, suggestions were made involving specific changes to the test procedures. In general, the technical amendments proposed in this action fall into two categories. First, many of the proposed amendments are simply clarifications that will help remove any potential ambiguities or inconsistencies. Second, another group of proposed amendments take into account testing equipment and/or engine technology that was not as widely used when the rule was first written.

The proposed changes to the Smoke Exhaust Test Procedure include clarifications regarding the operation of the dynamometer, accommodation of additional test equipment and more details on meter light sources to be used. The test procedures for SEA contain a new requirement that asks manufacturers to decide, before the initial cold cycle, whether they will measure background particulate matter (PM) or not. The amendments proposed for the Gaseous and Particulate Test Procedures cover the calibration requirements of gas analyzers, the use of accessory loads, conditions for use of charge air cooling devices and the permitted point deletions from regression analysis.

Lastly, three proposed minor changes to the Gaseous Fueled Vehicle Rule, established in a September 21, 1994 notice (59 FR 48472), are made. The regulatory text of that rule contained several minor errors and areas where the applicability of various standards to gaseous-fueled vehicles was not clear in the regulations, although all of the applicability issues were discussed in the preamble.

For further supplemental information, the detailed rationale for this proposal, and the regulatory revisions see the information provided in the direct final rule published in a separate part of this **Federal Register**.

### List of Subjects

#### 40 CFR Part 9

Reporting and recordkeeping requirements.

#### 40 CFR Part 86

Environmental protection, Administrative practice and procedures, Air pollution control, Confidential business information, Gasoline, Incorporation by reference, Labeling, Motor vehicles, Motor vehicle pollution, Reporting and recordkeeping requirements.

Dated: August 18, 1997.

**Carol M. Browner,**  
*Administrator.*

[FR Doc. 97-23354 Filed 9-4-97; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MO 034-1034(b); FRL-5886-2]

#### Approval and Promulgation of Implementation Plans; State of Missouri

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Missouri for the purpose of updating its transportation conformity rules. In the final rules section of the **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the 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 proposed 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:** Comments on this proposed rule must be received in writing by October 6, 1997.

**ADDRESSES:** Comments may be mailed to Christopher D. Hess, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Christopher D. Hess at (913) 551-7213.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: August 15, 1997.

**William Rice,**

*Acting Regional Administrator.*

[FR Doc. 97-23453 Filed 9-4-97; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-5887-1]

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

**AGENCY:** Environmental Protection  
Agency.

**ACTION:** Notice of intent to delete the LaGrand Sanitary Landfill Site from the national priorities list; request for comments.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the LaGrand Sanitary Landfill Site (the Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which is 40 CFR part 300, appendix B. EPA promulgated the NCP pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State of Minnesota, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

**DATES:** Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before October 6, 1997.

**ADDRESSES:** Comments may be mailed to Gladys Beard, Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd. (SR-6J), Chicago, IL 60604.

Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: Alexandria Public Library, Seventh and Fillmore, Alexandria, MN 56308. Requests for comprehensive copies of documents should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

#### FOR FURTHER INFORMATION CONTACT:

Gladys Beard (SR-6J), Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-7253 or Denise Gawlinski (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-9859.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

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

### I. Introduction

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the LaGrand Sanitary Landfill Site from the National Priorities List (NPL), which constitutes appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments from the public on the proposed deletion. 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. Sites on the NPL may be the subject of remedial actions financed by the Potentially Responsible Parties or the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the Site warrant such action.

The U.S. EPA will accept comments on this proposal from the public for thirty (30) days after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the history of this site and explains how the Site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

### II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete Sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this