

Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection,  
Administrative practice and procedure,

Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: August 22, 2000.

**Susan B. Hazen,**

*Deputy Director, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—AMENDED

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), (346a) and 371.

2. Section 180.511 is amended by adding paragraph (a) to read as follows:

#### **§ 180.511 Buprofezin; tolerances for residues.**

(a) *General.* Tolerances are established for residues of buprofezin in or on the following food commodities:

Commodity	Parts per million	Expiration/Revocation Date
Lettuce, head	5.0	12/31/04
Lettuce, leaf	13.0	12/31/04
Vegetables, cucurbits	0.50	12/31/04

\* \* \* \* \*

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#### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 300**

[FRL-6860-8]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of partial deletion of the Cimarron Mining Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 6 announces the partial deletion of the Cimarron Mining Superfund Site (Site). This partial deletion applies only to the surface soil portion of Operable Unit 1 (OU 1 or Cimarron) and all of Operable Unit 2 (OU 2 or Sierra Blanca, which consists solely of surface soils). The long-term remedial action for the ground water portion of the remedy for the surface soil portion of OU 1 will continue until further notice and remains on the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is codified at Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300. This partial deletion is consistent

with EPA's Notice of Policy Change: Policy Regarding Partial Deletion of Sites Listed on the National Priorities List. This partial deletion does not pertain to the subsurface portion of OU 1 (Cimarron) including without limitation ground water and subsurface soils. The subsurface portion of the Site will remain on the NPL, and response activities will continue for that portion. With the concurrence of the State of New Mexico, acting through the New Mexico Environment Department (NMED), EPA has determined that for the surface portion of OU 1 (Cimarron) and all of OU 2 (Sierra Blanca) all appropriate Hazardous Substance Response Trust Fund (Fund)—financed response under CERCLA has been implemented and that no further response action by responsible parties is appropriate. (Neither CERCLA-required five-year reviews nor operation and maintenance are considered further response action for the purpose of this partial deletion.) EPA, with State of New Mexico concurrence (acting through NMED), has determined that Site investigations show that the portions of the Site being deleted from the NPL now pose no significant threat to public health or the environment; consequently, pursuant to CERCLA section 105, and 40 CFR 300.425(e), the surface portions of the Site (the surface portion of OU 1 and all of OU 2) are hereby deleted from the NPL.

**EFFECTIVE DATE:** August 31, 2000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Petra Sanchez, Remedial Project Manager, 214-665-6686, United States Environmental Protection Agency, Region 6, 6SF-LT, 1445 Ross Avenue,

Suite 1200, Dallas, Texas, 75231.

Information on the Site is available at the local information repository located at Carrizozo City Hall, P.O. Box 247, Carrizozo, New Mexico 88301. Requests for comprehensive copies of documents should be directed formally to Ms. Elizabeth Rogers, Regional Superfund Information Management Team, EPA Region 6, SF-PI, 1445 Ross Avenue, Suite 1200, Dallas, Texas, 75231.

**SUPPLEMENTARY INFORMATION:** The Site being partially deleted from the NPL is the Cimarron Mining Superfund Site located near the town of Carrizozo, in Lincoln County, New Mexico. This partial deletion pertains only to the surface portions of the Site (surface portion of OU 1, Cimarron, and the entire portion of OU 2, Sierra Blanca (the latter consisting solely of surface soils). This action does not pertain to the Long Term Remedial Action for ground water at OU 1, Cimarron. This partial deletion is in accordance with 40 CFR 300.425(e) and the Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List, 60 FR 55466 (November 1, 1995). A Notice of Intent for Partial Deletion was published on June 21, 2000 (65 FR 38476). The closing date for comments on the Notice of Intent for Partial Deletion was July 21, 2000. No comments were received. 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 Fund-financed remedial actions. Section 300.425(e)(3) of the NCP, 40 CFR 300.425(e)(3), states that Fund-financed actions may be taken at

sites deleted from the NPL in the event that future conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede EPA efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environment protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental regulations, Penalties, Reporting and recordkeeping

requirements, Superfund, Water pollution control, Water supply.

Dated: August 17, 2000.

**Lynda F. Carroll,**

*Acting Regional Administrator, U.S. EPA Region 6.*

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

#### PART 300—[AMENDED]

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

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/County	Notes(a)
NM	Cimarron Mining Corp	Carrizozo	P.

(a) \* \* \*

P=Sites with partial deletion(s).

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL–6861–9]

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

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

**ACTION:** Direct Final Deletion of the Wheeling Disposal Service Company, Incorporated, Landfill Site from the National Priorities List (NPL).

**SUMMARY:** EPA Region VII announces the deletion of the Wheeling Disposal Service Company, Incorporated Landfill site (site) from the (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (CERCLA). EPA and the Missouri Department of Natural Resources (MDNR) have determined that all appropriate response actions have been implemented and the site poses no significant threat to public health or the environment and, therefore, further

remedial measures pursuant to CERCLA are not appropriate.

**DATES:** This “direct final” action will be effective October 30, 2000 unless EPA receives significant adverse or critical comments by October 2, 2000. If adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Comments may be mailed to Catherine Barrett, Remedial Project Manager, U.S. EPA, Superfund Division, 901 North 5th Street, Kansas City, KS 66101, telephone (913) 551–7704, fax (913) 551–7063. Comprehensive information on this site is available through the public docket which is available for viewing at the Site Information Repository at U.S. EPA Region VII, Superfund Division Records Center, 901 North 5th Street, Kansas City, KS 66101 or the Wheeling Local Repository, Rolling Hills Library, 514 West Main Street, Savannah, Missouri.

**FOR FURTHER INFORMATION CONTACT:** Catherine Barrett, U.S. EPA, Superfund Division, 901 North 5th Street, Kansas City, KS 66101, telephone (913) 551–7704, fax (913) 551–7063.

#### SUPPLEMENTARY INFORMATION:

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- I. Introduction
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**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.

2. Table 1 of Appendix B to part 300 is amended by revising the entry for “Cimarron Mining Corp.,” Carrizozo, New Mexico to read as follows:

#### Appendix B to Part 300—National Priorities List

## I. Introduction

The EPA Region VII announces the deletion of the Wheeling Disposal Service Company, Incorporated, Landfill site, Amazonia, Missouri, from the NPL, Appendix B of the NCP, 40 CFR Part 300. 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 MDNR have determined that the remedial action for the site has been successfully executed. EPA will accept comments on this notice thirty days after publication of this notice in the **Federal Register**.

Section II of this action explains the criteria for deleting sites from the NPL. Section III discusses the procedures that EPA is using for this action. Section IV discusses the history of the Wheeling Disposal Service Company, Incorporated, Landfill site and explains how the site meets the deletion criteria. Section V states EPA’s action to delete the releases of the site from the NPL unless dissenting comments are received during the comment period.

## 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 release from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met: