

requirements, Superfund, Water pollution control, Water supply.

Dated: September 20, 2002.

L. John Iani,

Regional Administrator, Region 10.

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:

Authority: 42 U.S.C 9601–9657; 33 U.S.C. 1321(c)(2); 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 2 of appendix B to part 300 is amended by removing the entry for “Standard Steel & Metals Salvage Yard (USDOT), Anchorage, AK.”

[FR Doc. 02–24640 Filed 9–27–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–7387–6]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Gould Site from the National Priorities List.

SUMMARY: The U.S. Environmental Protection Agency (EPA), Region 10, announces the deletion of the Gould Site which is located in Portland, Oregon, from the National Priorities List (NPL). The NPL is appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the State of Oregon have determined that the Site poses no significant threat to public health or the environment and, therefore, no further remedial measures pursuant to CERCLA are appropriate.

EFFECTIVE DATE: September 30, 2002.

FOR FURTHER INFORMATION CONTACT: Beverly Gaines, EPA Point of Contact, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Mail Stop ECL–110, Seattle, WA 98101, (206) 553–1066.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Gould Site, Portland, Oregon.

A Notice of Intent to Delete for this site was published in the **Federal Register** on August 23, 2002 (67 FR 54602). The closing date for comments on the Notice of Intent to Delete was September 23, 2002. EPA received one comment letter. The comment letter received by EPA asked about dioxin contaminants that were injected into the dry wells at the Chipman site adjacent to the Gould Site. The Oregon Department of Environmental Quality (DEQ) is currently conducting an Remedial Investigation/Feasibility Study (RI/FS) at the Rhone Poulenc (formerly Chipman Chemical) site. Contaminant sources, such as dry wells, sumps and drainage pathways were characterized during two large soil sampling events completed in December 2000 and December 2001. DEQ is currently working with Rhone Poulenc to evaluate the risks to human health and the environment from contaminants (including 2,3,7,8-tetrachloro-dibenzo-p-dioxin (dioxin)) released to soil and groundwater. This information will be used to evaluate, design, and implement cleanup activities at the site.

For more information on the status of the Rhone Poulenc investigation, consult the DEQ Web site (<http://www.deq.state.or.us/wmc/psrasp/ActiveSites.htm>) and query Rhone Poulenc or contact the DEQ project manager, Eric Blischke at (503) 229–5648.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. 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, and Water supply.

Dated: September 24, 2002.

Randall F. Smith,

Acting Regional Administrator, Region 10.

1. 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:

Authority: 42 U.S.C 9601–9657; 33 U.S.C. 1321(c)(2); 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 entry for the “Gould, Inc., Portland, OR.”

[FR Doc. 02–24765 Filed 9–27–02; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–7385–1]

National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Deletion of the Pinette's Salvage Yard Superfund Site from the National Priorities List.

SUMMARY: EPA—New England announces the deletion of the Pinette's Salvage Yard Superfund Site located in Washburn, Aroostook County, Maine from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), is found at Appendix B of 40 CFR part 300 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA and the State of Maine, through the Department of Environmental Protection, have determined that all appropriate response actions under CERCLA have been completed and the site poses no significant threat to human health or the environment. However, this deletion does not preclude future actions under Superfund.

EFFECTIVE DATE: September 30, 2002.

FOR FURTHER INFORMATION CONTACT: Almerinda Silva, Remedial Project Manager, U.S. EPA, One Congress Street, Suite 1100, (HBT), Boston, Massachusetts 02114–2023, (617) 918–

1246 or 1-800-252-3402 x-81246-toll-free.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is the Pinette's Salvage Yard Superfund Site in Washburn, Aroostook County, Maine.

A Notice of Intent to Delete for this site was published in the **Federal Register** on Wednesday August 28, 2002 (67 FR 55187). The closing date for comments on the Notice of Intent to Delete is Friday, September 27, 2002. EPA does not expect to receive any comments, therefore, a Responsiveness Summary has not been prepared. If any substantive comments are received EPA will publish a document in the **Federal Register** addressing those comments and, if necessary, withdrawing the site deletion.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. 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.

Robert W. Varney,

Regional Administrator, U.S. EPA—New England.

For 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:

Authority: 42 U.S.C. 9601–9657; 33 U.S.C. 1321(c)(2); 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 entry for Pinette's Salvage Yard, Washburn, ME.

[FR Doc. 02-24639 Filed 9-27-02; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2880

[WO-350-1430-PE-24-1A]

RIN 1004-AD55

Rights-of-Way Under the Mineral Leasing Act; Timing of Approvals

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: The Bureau of Land Management (BLM) is issuing a rule which allows BLM to approve right-of-way grants for pipelines 24 inches or more in diameter as soon as it notifies the appropriate congressional committees. This final rule avoids the possibility that BLM will issue a right-of-way grant in a way that violates our own rules.

EFFECTIVE DATE: This final rule is effective November 29, 2002.

FOR FURTHER INFORMATION CONTACT:

Michael H. Schwartz, Manager, Regulatory Affairs Group at (202) 452-5198. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1-800-877-8339, 24 hours a day, 7 days a week.

SUPPLEMENTARY INFORMATION:

- I. Background and Purpose
- II. Final Rule as Adopted and Response to Comment
- III. Procedural Matters

I. Background and Purpose

Why Is BLM Implementing This Rule?

In 1979 the BLM issued rules regarding applying for and processing a right-of-way authorized by the Mineral Leasing Act of 1920, as amended. Since 1979 we have amended the various sections within part 2880 on several occasions, the last being in 1989. On October 30, 1990, the President signed Public Law 101-475. This law amends section 28(w)(2) of the Mineral Leasing Act (30 U.S.C. 185 (w)(2)) by allowing the Secretary of the Interior to issue a right-of-way for a pipeline 24 inches or more in diameter as soon as the Secretary notifies the appropriate committees of the Congress. The previous law required the Secretary to allow 60 days to pass after notifying Congress before issuing the right-of-way. The current regulations reflect the 60-day requirement, thereby imposing a waiting period for issuing a right-of-way that is no longer required by statute.

On June 15, 1999 (64 FR 32106) we proposed a major revision to part 2880

of our regulations and intend to publish the final rule within the year. The pertinent part of proposed section 2884.23 included the following language (see 64 FR 32141):

§ 2884.23 When will BLM issue the grant or permit?

If the grant involves:

- (a) A pipeline 24 inches or more in diameter, BLM will not issue or renew the grant until after we notify the Congress;

The purpose of today's rulemaking is to ensure that BLM may issue grants for pipelines 24 inches or more in diameter as soon as we notify the Congress without being in violation of our own regulations. This final rule avoids the possibility that BLM will issue a right-of-way grant in a way that violates our own rules. At the same time, the rule follows explicit statutory direction.

Although we expect to issue comprehensive right-of-way rules before the end of the year, it is not certain we will. This section applies to all Federal right-of-way grants for pipelines 24 inches or more in diameter, including the Trans Alaska Pipeline (TAP) right-of-way grant renewal. It is important that today's change is in effect no later than January 22, 2004. At that time the original Federal TAP right-of-way grant will expire.

While we will complete processing the application for renewing the TAP right-of-way grant before the original right-of-way grant expires, it is possible that we will be unable to do so and notify Congress 60 days prior to the expiration of the original grant. If this were to occur, the current regulations would require us to shut the pipeline or issue a temporary use permit. The former is not realistic; the latter an unnecessary burden on both the pipeline company and ourselves. Therefore, we are choosing to expedite issuance of this provision of the comprehensive rule we proposed in 1999.

How Does This Rule Change Requirements for Processing Right-of-Way Applications?

The only change this rule makes to current practice is that it allows BLM to issue a right-of-way grant for pipelines 24 inches or more in diameter immediately after notifying the appropriate committees of the Congress. After the effective date of this final rule, we will no longer have to wait 60 days after notifying Congress before we issue a right-of-way grant for a pipeline 24 inches or more in diameter.