is located in the Rules Section of this **Federal Register**.

(Authority: 42 U.S.C. 7401 *et seq.)*

Date signed: July 29, 1998.

Nora L. McGee,

Acting Regional Administrator, Region 9.

[FR Doc. 98–21897 Filed 8–17–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[KY–99–1–9820b; FRL–6142–8]

Designation of Areas for Air Quality Planning Purposes Kentucky: Redesignation of the Muhlenberg County Sulfur Dioxide Secondary Nonattainment Area to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On November 21, 1997, the Commonwealth of Kentucky submitted, through the Natural Resources and Environmental Protection Cabinet (the Cabinet), a request for redesignation of Muhlenberg County, Kentucky, to attainment for the secondary sulfur dioxide (SO_2) National Ambient Air Quality Standard (NAAQS). The secondary nonattainment designation for SO_2 was based on the fact that the Tennessee Valley Authority (TVA) Paradise Steam Plant was out of compliance with its allowable emission limit. The Cabinet submitted air dispersion modeling which demonstrates that the secondary (NAAQS) for SO_2 are now being maintained. The EPA is approving the request for redesignation.

In the Final Rules section of this **Federal Register**, EPA is approving the Kentucky State Implementation Plan submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates that it will not receive any significant, material, and adverse comments. A detailed rationale for the approval is set forth in the direct final rule and incorporated by reference herein. If no significant, material, and adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action.

DATES: Comments must be received in writing by September 17, 1998.

ADDRESSES: Written comments should be addressed to Scott Martin at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the day of the visit.

Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303–3104.

Mr. John E. Hornback, Director, Division of Air Quality, Department for Environmental Protection, Natural Resources and Environmental Protection Cabinet, 803 Schenkel Lane, Frankfort, Kentucky 40601

FOR FURTHER INFORMATION CONTACT: Scott Martin at (404) 562–9036.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: August 3, 1998.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 98–22055 Filed 8–17–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 141

[FRL–6146–7]

RIN–2040–AC27

Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule with request for comments.

SUMMARY: The Environmental Protection Agency (EPA) is soliciting public comment on an additional regulatory option the Agency is considering in conjunction with minor revisions to the National Primary Drinking Water Regulations for Lead and Copper. The option would modify the way in which compliance with optimal corrosion control requirements is determined for water systems subject to the rule's water quality parameter monitoring requirements and would give systems greater flexibility and remove disincentives for water systems to implement good process control procedures. The intended effect is to avoid putting systems that monitor water quality parameters more frequently than required under the lead and copper regulations at greater risk of non-compliance than those systems that only conduct the minimum required monitoring. This option would not increase, and may decrease, the burden associated with compliance with the lead and copper rule.

DATES: Written comments should be postmarked or delivered by hand by September 17, 1998.

ADDRESSES: Send written comments to the Lead and Copper Rule Comment Clerk, Water Docket (MC–4101), Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Please submit an original and three copies of your comments and enclosures (including references). If you wish to hand-deliver your comments, please call the Docket at (202) 260–3027 between 9 a.m. and 4 p.m., Monday through Friday, excluding Federal holidays, to obtain directions to Room EB57. Please see Supplementary Information under the heading ''Additional Information for Commenters'' for detailed filing instructions, including electronic submissions.

The record for this rulemaking has been established under docket name National Primary Drinking Water Regulations for Lead and Copper. The record includes supporting documentation as well as printed, paper versions of electronic comments. The record is available for inspection from 9 a.m. to 4 p.m., Monday through Friday, excluding legal holidays at the Water Docket, Room EB57, 401 M Street, SW, Washington, DC 20460. For access to the Docket materials, please call (202) 260–3027 to schedule an appointment.

FOR FURTHER INFORMATION CONTACT: The Safe Drinking Water Hotline, toll free 1–800–426–4791. The Safe Drinking Water Hotline is open Monday through Friday, excluding Federal holidays, from 9:00 a.m. to 5:30 p.m. Eastern Time. For technical inquiries, contact Judy Lebowich, Standards and Risk Management Division, Office of Ground Water and Drinking Water, EPA (MC–4607), 401 M Street SW, Washington, DC 20460; telephone (202) 260–7595.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities potentially regulated by this regulatory option include all community water systems (CWSs) and

non-transient non-community water systems (NTNCWSs) that serve more than 50,000 people and those CWSs and NTNCWSs serving 50,000 or fewer people that exceed, or expect to exceed, the lead or copper action level after the installation of corrosion control treatment. Regulated categories and entities include:

Category	Examples of regulated entities
Industry	Privately-owned CWSs and NTNCWSs serving > 50,000 people or likely to exceed an action level after the installation of corrosion control treatment.
State, Tribal, and Local Governments	Publicly-owned CWSs and NTNCWSs serving > 50,000 people or likely to exceed an action level after the installation of corrosion control treatment.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by the possible changes to the Lead and Copper Rule discussed in this document. If EPA decides to promulgate the regulatory option discussed in this document, the Agency plans to incorporate this modification in the Lead and Copper Minor Revisions Rule that the Agency plans to promulgate in the near future. Readers should note that all CWSs and NTNCWSs may be affected by the Lead and Copper Minor Revisions Rule. Other types of entities not listed in the table could also be regulated. To determine whether your facility is regulated by the Lead and Copper Minor Revisions Rule, you should carefully examine the applicability criteria in §§ 141.3 and 141.80(a) of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of the Lead and Copper Minor Revisions Rule to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Additional Information for Commenters

To ensure that EPA can read, understand and therefore properly respond to your comments, the Agency requests that commenters follow the following format: type or print comments in ink, and cite, where possible, the paragraph(s) in this document to which each comment refers. Please use a separate paragraph for each issue discussed and limit your comments to the issues addressed in today's document. Comments on issues other than those discussed in today's document will not be considered.

If you want EPA to acknowledge receipt of your comments, enclose a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted. Comments also may be submitted electronically to ow-docket@epamail.epa.gov. Electronic comments must be submitted as a WordPerfect 5.1, WordPerfect 6.1, or ASCII file avoiding the use of special characters and forms of encryption and must be transmitted by midnight September 17, 1998. Electronic comments must be identified by the docket name, number, or title of the **Federal Register**. Comments and data also will be accepted on disks in WordPerfect 5.1, WordPerfect 6.1, or ASCII file format. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

Discussion of Regulatory Option

On June 7, 1991, the Environmental Protection Agency (EPA) promulgated National Primary Drinking Water Regulations (NPDWRs) for Lead and Copper (56 FR 26460, June 7, 1991). The Lead and Copper Rule (LCR) requires water systems to optimize corrosion control in order to minimize lead and copper levels at consumers' taps and requires States to designate water quality parameter (WQP) values representing optimal corrosion control (OWQPs) for certain systems after the installation of corrosion control treatment. OWQPs must be designated for pH at all sampling locations. The State also must designate OWQPs for other water quality parameters including alkalinity, orthophosphate, silica, and calcium, depending on the sampling location and the corrosion control treatment.

Once the State has designated OWQPs, those systems subject to routine water quality parameter monitoring requirements demonstrate that they are properly operating and maintaining optimal corrosion control treatment (OCCT) by measuring water quality parameters biweekly (i.e., every two weeks) at entry points and periodically at taps throughout the distribution system. If a system conducts more than the minimally required sampling, all results must be used in determining compliance, with the exception that States have discretion to delete results of obvious sampling errors from the compliance determination calculations.

Presently, a system incurs a violation if the WQP value of any sample is below the minimum value or outside the range designated by the State. The system may take a confirmation sample for any WQP value no later than 3 days after the initial sample, which is averaged with the original sample to determine compliance.

Some States have questioned the technical merit of using averaging for determining compliance. The following example illustrates the problem. A system with an original value for pH of 7.2 (outside the designated range of 7.4–7.6) and a confirmation value of 7.8 would be in compliance while a system with an original value of 7.3 and a confirmation value of 7.4 would incur a violation. One of the most important factors in maintaining OCCT is to maintain a stable pH. Systems which do not maintain a stable pH are probably not maintaining optimal corrosion control and are the most likely to have elevated lead and/or copper levels. However, under the current compliance scheme, those systems, even though they may not be maintaining optimal corrosion control, are still deemed in compliance.

Issues have also been raised by some States and water systems regarding how to determine compliance for systems that monitor OWQPs more frequently than biweekly. Systems monitoring for OWQPs on a more frequent basis than biweekly have a greater chance of incurring a violation, since all measurements must be used in compliance determinations. The LCR as written may be viewed as providing a disincentive for systems to conduct more frequent OWQP monitoring than the minimum required. For example, a system monitoring for pH every 4 hours would need to include all measurements in compliance determinations, which substantially increases the likelihood of incurring a violation compared to a system conducting biweekly monitoring. The next (confirmation) sample following an excursion would be only 4 hours away, leaving little time to adjust treatment.

EPA acknowledges that averaging the original and confirmation samples may inadvertently reward systems that do not properly maintain optimal corrosion control. EPA also acknowledges the merits of conducting more frequent WQP monitoring, and does not intend to penalize systems which perform such monitoring. To address these problems,

in April 1998, EPA requested comment on a regulatory option that would replace the confirmation sample approach with one that would allow compliance to be determined on the basis of a repeat sample that could be taken within three days of the original sample when the original sample is below the minimum value or outside the range designated by the State (63 FR 20038, April 22, 1998). Many commenters noted that, while the repeat sample approach represents an improvement over the current approach, it does not address the issue of systems that monitor WQPs several times a day.

After reviewing the comments received, EPA is considering further refinements to the method for determining compliance with OWQP requirements. Under this newest alternative, OWQP compliance would be determined quarterly for each WQP and sampling location. For each WQP measured more frequently than once per day at a sampling location, that sampling location would be in compliance for a calendar quarter as long as the results of at least 95% of the samples taken within that quarter were above the minimum value or within the range designated by the State. For each WQP measured once per day or less frequently at the sampling location, a repeat sample approach similar to the one described in the April 22, 1998, document would be used to determine compliance. A water system would incur a WQP treatment technique violation for any quarter in which non-compliance occurs for any WQP at any sampling location at which WQP measurements are collected during the quarter.

The following is an example of how this option would work at a water system required to monitor for more than one WQP and where the frequency of sampling depends on the parameter and sampling location. Assume the State has designated OWQPs for pH and orthophosphate and that the system monitors pH continuously at each of two entry points and takes grab samples biweekly for pH at 10 distribution system taps and for orthophosphate at every entry point and distribution system tap. During a quarter, two percent of the pH results at one entry point and four percent of the results at the other entry point were outside the State-designated range. Neither entry point had a pH excursion that lasted more than 72 hours. The system collected samples from five distribution system taps. The original pH results from two of the tap samples were outside the range; a repeat sample for pH was taken at both of these taps 48 hours later and the results were within the range. The system was therefore in compliance during the quarter.

The system would be out of compliance, however, under any one of the following scenarios.

- The results of the pH monitoring at one of the entry points were outside the range 5.1% of the time.
- The results of the pH monitoring at one of the entry points were outside the range for 76 consecutive hours.
- The result of one biweekly distribution system tap pH sample was outside the range and the result of a repeat pH sample collected at the same tap 72 hours later also was outside the range.
- The result of one biweekly orthophosphate sample was outside the range and no repeat orthophosphate sample was collected.
- The result of one biweekly orthophosphate sample was outside the range and the result of a repeat orthophosphate sample taken at the same location 72 hours later also was outside the range.

Water systems are required to measure WQPs at entry points at least biweekly. The Agency believes that incurring a violation every two weeks due to relatively minor excursions, as could happen with the current requirements, would result in triggering the public notification (PN) requirements of § 141.32, even when the excursion is not necessarily indicative of a public health concern. Moreover, triggering PN on such a frequent basis that PN could cause the information to lose its effectiveness while imposing significant burden on the water utility and not truly distinguishing excursions of public health concern from those that are not. The Agency believes that a more appropriate frequency of PN for a OWQP treatment technique violation is approximately once every three months, for as long as the non-compliance exists. EPA also does not believe that there should be a significant difference, from a consumer perspective, whether OWQP non-compliance occurs at an entry point, in the distribution system, or both. For this reason, the Agency thinks it appropriate that compliance with OWQPs be determined quarterly. While entry point samples are collected each quarter, there may be some quarters each year in which no distribution system tap samples are required to be collected. For the purposes of determining the minimum number of tap water WQP samples taken in an interval of time, the Agency plans to retain the monitoring periods currently specified in § 141.87(c)–(e), *i.e.*, every six-months, annually, or every 3 years.

The Agency selected the 95th percentile based on considerations of the total amount of time a system might have excursions at one location during a quarter. By setting compliance at the 95th percentile, a water system can have excursions at a single entry point no more than approximately four and one-half days in a single quarter. Since no one excursion can persist for more than 72 hours (approximately 3 days) without becoming a violation, EPA believes that a system measuring WQPs several times a day at each entry point and meeting the compliance criteria described above is maintaining optimal corrosion control at least as effectively as a water system monitoring less frequently and determining compliance based on individual biweekly grab samples.

The Agency does not believe that a water system normally measuring a WQP at individual sampling locations once a day or less frequently can have any excursions and still be in compliance at least 95% of the time unless the system ''pads'' the sample results with additional samples collected during the quarter merely for the sake of having enough within range. For this reason, the Agency believes it is more appropriate for compliance to be determined using the repeat-sample approach when sampling occurs once a day or less often.

In some instances, a system should realize it is out of compliance before the end of a calendar quarter. This could occur, for example, if a distribution system tap water sampling location is out of compliance. In such cases, the system is required by § 141.31(b) to report the non-compliance to the State within 48 hours and to initiate PN in accordance with the schedule specified in § 141.32 for a treatment type violation.

Since § 141.86(d) and § 141.87(e) require systems on reduced monitoring, and subject to the WQP monitoring requirements after State designation of OWQPs, to maintain compliance with § 141.82(g) to retain eligibility for reduced monitoring, any system on reduced monitoring that incurs an OWQP violation must resume standard monitoring until such time as it is again eligible for reduced monitoring. The resumption of standard monitoring should occur as soon as practicable, but no later than the start of the calendar quarter following the one in which the OWQP violation occurs.

EPA is considering the following changes to § 141.82(g) and § 141.87(d) as a part of this revision. Section 141.82(g) currently reads:

Continued operation and monitoring. All systems shall maintain water quality parameter values at or above minimum values or within ranges designated by the State under paragraph (f) of this section in each sample collected under § 141.87(d). If the water quality parameter value of any sample is below the minimum value or outside the range designated by the State, then the system is out of compliance with this paragraph. As specified in § 141.87(d), the system may take a confirmation sample for any water quality parameter value no later than 3 days after the first sample. If a confirmation sample is taken, the result must be averaged with the first sampling result and the average must be used for any compliance determinations under this paragraph. States have discretion to delete results of obvious sampling errors from this calculation.

Under the revision EPA is considering, the language of § 141.82(g) would be revised to read:

Continued operation and monitoring. All systems shall maintain water quality parameter values at or above minimum values or within ranges designated by the State under paragraph (f) of this section in each sample collected under § 141.87(d)–(f). A water system is out of compliance with the requirements of this paragraph during any calendar quarter in which at least one entry point or distribution system tap sampling location from which water quality parameter samples are collected during the quarter does not meet the compliance requirements of this paragraph for any water quality parameter. States have the discretion to delete obvious sampling errors from the compliance determination. Compliance for each water quality parameter at each sampling location is determined as follows.

(1) Where measurements for a water quality parameter are taken more frequently than once per day at the sampling location, the sampling location is in compliance for that water quality parameter if excursions occur in no more than five percent of the samples taken during the quarter and no single excursion lasts more than 72 hours.

(2) Where measurements for a water quality parameter are taken once per day or less often at the sampling location, the sampling location is in compliance if either:

(i) No excursions occur; or

(ii) A repeat sample collected for the same water quality parameter at the same location within 72 hours of the excursion is not an excursion. If more than one repeat sample for that water quality parameter is collected at that sampling location within the 72-hour period, the compliance will be based on the results of the last sample taken during that period.

Section § 141.87(d) currently reads:

Monitoring after State specifies water quality parameter values for optimal corrosion control. After the State specifies the values for applicable water quality control parameters reflecting optimal corrosion control treatment under § 141.82(f), all large systems shall measure the applicable water quality parameters in accordance with paragraph (c) of this section during each monitoring period specified in § 141.86(d)(3). Any small or medium-size system shall conduct such monitoring during each monitoring period specified in § 141.86(d)(3) in which the system exceeds the lead or copper action level. The system may take a confirmation sample for any water quality parameter no later than 3 days after the first sample. If a confirmation sample is taken, the result must be averaged with the first sampling result and the average must be used for any compliance determinations under § 141.82(g). States have discretion to delete results of obvious sampling errors from this calculation.

It would be revised to read:

Monitoring after State specifies water quality parameter values for optimal corrosion control. After the State specifies the values for applicable water quality control parameters reflecting optimal corrosion control treatment under § 141.82(f), all large systems shall measure the applicable water quality parameters in accordance with paragraph (c) of this section during each monitoring period specified in § 141.86(d)(3). Any small or medium-size system shall conduct such monitoring during each monitoring period specified in § 141.86(d)(3) in which the system exceeds the lead or copper action level. At sampling locations where sampling for a water quality parameter occurs once per day or less often, the system may take a repeat sample for that water quality parameter at the same location within 72 hours of the first sample for any water quality parameter value that is below the minimum value or outside the range designated by the State under § 141.82(f). If more than one repeat sample for that water quality parameter is taken at the same location within that 72-hour period, the last sample taken for that water quality parameter at the location within the period shall be used for compliance determinations under § 141.82(g). If the system takes repeat sample(s), the schedule for the next routine sample shall be based on the date of the original sample. As specified in § 141.82(g), compliance with the requirements of § 141.82(g) shall be determined quarterly for each water quality parameter and sampling location based on all the water quality parameter measurements taken for the water quality parameter at the sampling location during the quarter. States have the discretion to delete results of obvious sampling errors from any compliance determination calculations under § 141.82(g).

As a part of this new option, EPA also would modify the language of § 141.87(c)(2) to clarify how the results of any continuous monitoring should be factored into the compliance determinations. Section 141.87(c)(2) currently reads: ''[Systems required to monitor for water quality parameters after the State designates OWQPs shall measure the WQPs at] each entry point to the distribution system, one sample every two weeks (bi-weekly) for: * * *.'' The Agency is considering the following rewording. ''At each entry point to the distribution system, systems [required to monitor for water quality parameters after the States designates OWQPs] shall collect at least one sample every two weeks (bi-weekly). Where continuous monitoring for a water quality parameter occurs at an entry point, the system shall record the results no less frequently than once every four hours and use those recorded results for determining compliance under § 141.82(g). Entry point sampling shall occur for: * * *.''

The Agency believes that recording the results every four hours is an appropriate interval where continuous monitoring is occurring because it provides relatively frequent readings and is consistent with the recording requirements of other drinking water regulations that include continuous monitoring.

Finally, as a part of this option, EPA would make corresponding changes to the reporting requirements at § 141.90(a)(1) to clarify that systems must report to the State on a quarterly basis all water quality parameter results collected pursuant to § 141.87(d)–(f) during the quarter, unless a more frequent reporting schedule is specified by the State. The introductory text of § 141.90(a)(1) currently reads:

A water system shall report the information specified below for all tap water samples within the first 10 days following the end of each applicable monitoring period specified in § 141.86 and § 141.87 and § 141.88 (i.e., every six-months, annually, or every 3 years).

To reflect the revised approach for determining OWQP compliance, EPA is considering revising the paragraph to read:

Except as provided in paragraph (a)(1)(viii) of this section, a water system shall report the information specified below for all tap water and entry point samples within the first 10 days following the end of each applicable monitoring period specified in § 141.86 and § 141.87 and § 141.88 (i.e., quarterly, every six-months, annually, or every 3 years).

EPA also would add a paragraph (viii) to § 141.90(a)(1) that would read: ''States have the discretion to require the reporting of the results of all tap water and entry point water quality parameter monitoring collected under § 141.87(c)–(e) more frequently than quarterly.''

EPA believes there will be little or no change in burden as a result of this alternative. Monitoring burden is not affected since there is no change in the number of WQP samples that a water system is required to collect to remain in compliance with the LCR. Section 141.87(f) already requires that the

results of any WQP sampling conducted in addition to the minimum requirements of the LCR be considered as a part of any compliance determination under § 141.82(g); therefore, no additional burden is assumed in conjunction with recording the results of continuous monitoring every four hours since it is reasonable to conclude that systems doing continuous monitoring already are recording these results at these intervals in compliance with other drinking water regulations. If anything, this alternative may result in a slight burden decrease for those systems that would be triggered into PN more frequently than once per quarter under the current requirements.

EPA solicits public comment on this new approach, including such issues as:

- Does it make sense for systems that sample more frequently than once per day to use a percentile-based approach for determining compliance with OWQPs;
- Is the 95th percentile the appropriate percentile and, if not, what percentile should be used and why;
- Is it appropriate to use different compliance-determination approaches depending on the frequency of monitoring;
- Would it be more appropriate to use the percentile-based approach where a water quality parameter is measured daily at a sampling location and, if so, why;
- Should some other approaches be allowed for determining compliance and, if so, what and how should the approach be structured and when should it be used;
- Is it appropriate to require systems conducting continuous monitoring to record the results every 4 hours and, if not, what is the appropriate frequency and why; and
- Is it clear from the existing rule language of § 141.86(d)(4) and § 141.87(e) that a system loses its eligibility for reduced monitoring if it is out of compliance with § 141.82(g) but not if it incurs an excursion that does not result in a violation.

After considering the public comments on today's Notice, EPA may change various components of this new compliance scenario in the final rule if the Agency believes such changes are warranted.

List of Subjects in 40 CFR Part 141

Environmental protection, Chemicals, Indians-lands Intergovernmental relations, Reporting and recordkeeping requirements, Water supply.

Dated: August 10, 1998.

J. Charles Fox,

Acting Assistant Administrator, Office of Water.

[FR Doc. 98–22196 Filed 8–17–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL–6145–1]

Delaware: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to grant final authorization to the hazardous waste program revisions submitted by Delaware. In the final rules section of this **Federal Register**, EPA is authorizing the State's program revisions as an immediate final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for the authorization is set forth in the immediate final rule. If no adverse written comments are received on this action, the immediate final rule will become effective and no further activity will occur in relation to this proposal. If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a document containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before September 17, 1998.

ADDRESSES: Mail written comments to Marie Owens, 3WC21, RCRA State Programs Branch, 1650 Arch Street, Philadelphia, PA 19103. You can examine copies of the materials submitted by the Delaware Department of Natural Resources and Environmental Control during normal business hours at the following locations: EPA Region III Waste and Chemicals Management Division, 10th Floor, 1650 Arch Street, Philadelphia, PA 19103, Phone number: (215) 814–3384; and Delaware Department of Natural Resources and Environmental Control, 89 Kings Highway, P.O. Box 1401, Dover, DE 19903.

FOR FURTHER INFORMATION CONTACT: Marie Owens, Mailcode 3WC21, RCRA State Programs Branch, 1650 Arch Street, Philadelphia, PA 19103, phone (215) 814–3384.

SUPPLEMENTARY INFORMATION: For additional information see the immediate final rule published in the rules section of this **Federal Register**.

Authority: This document is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: August 7, 1998.

W. Michael McCabe,

Regional Administrator, Region III.

[FR Doc. 98–22058 Filed 8–17–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6144–7]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to delete the Denzer & Schafer X-Ray Company site from the National Priorities List: Request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region II Office announces its intent to delete the Denzer & Schafer X-Ray Company Site (Site) from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes 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 (CERCLA), as amended, 42 U.S.C. 9605. EPA and the State of New Jersey have determined that the site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

DATES: Comments concerning this site may be submitted on or before September 17, 1998.

ADDRESSES: Comments may be mailed to: Matthew Westgate, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th floor, New York, NY 10007–1866.

Comprehensive information on this site is available through the EPA Region