

**40 CFR Part 300**

[FRL-5193-7]

**National Oil and Hazardous Substances Contingency Plan; National Priorities List Update; Cemetery Dump Site, Rose Township, MI****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of Deletion of the Cemetery Dump Site, Rose Township, Michigan from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Cemetery Dump Site, in Rose Township, Michigan 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. EPA and the State of Michigan have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of Michigan have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** April 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Matthew Mankowski (HSRW-6J), Remedial Project Manager, Office of Superfund, U.S. EPA-Region V, 77 West Jackson Blvd., Chicago, IL 60604, (312) 886-1842. The comprehensive information on the site is available at the local information repository located at: Holly Township Library, 1116 N. Saginaw, Holly, MI. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. Address 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.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Cemetery Dump Site, Rose Township, Michigan.

A Notice of Intent to Delete for this site was published FR Doc. 95-3604. The closing date for comments on the Notice of Intent to Delete was March 17, 1995. EPA received no comments and therefore has not prepared a Responsiveness Summary.

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 Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. 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 in the unlikely event that conditions at the site warrant such action. 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**

Air pollution control, Chemicals, Hazardous substances, Hazardous Waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

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

**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.

**Appendix B [Amended]**

2. Table 1 of appendix B to part 300 is amended by removing the Site "Cemetery Dump, Rose Township, Michigan".

Dated: April 3, 1995.

**David A. Ullrich,**

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

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**DEPARTMENT OF THE INTERIOR****Bureau of Land Management****43 CFR Public Land Order 7134**

[CA-930-1430-01; CACA 4661]

**Partial Revocation of Executive Order Dated April 17, 1926, Public Water Reserve No. 107; California****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Public Land Order.

**SUMMARY:** This order partially revokes an Executive Order insofar as it affects 69.78 acres of public land withdrawn for a public water reserve. The land is no longer needed for that purpose, and the partial revocation is needed to facilitate a land exchange under Section 206 of the Federal Land Policy and Management Act of 1976. This action will open 69.78 acres to surface entry and nonmetalliferous mining unless closed by overlapping withdrawals or temporary segregation of record. The land has been and remains open to metalliferous mining and mineral leasing.

**EFFECTIVE DATE:** May 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Duane Marti, BLM California State Office, 2800 Cottage Way, Sacramento, California 95825-1889; 916-979-2858.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107, is hereby revoked insofar as it affects the following described land:

**Mount Diablo Meridian**

T. 17 N., R. 10 E.,

Sec. 28, lots 5 and 7.

The area described contains 69.78 acres in Nevada County.

2. At 10 a.m. on May 19, 1995, the land will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 19, 1995, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m. on May 19, 1995, the land will be opened to location and entry for nonmetalliferous mining under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of any of the lands described in this order under the general mining laws prior to the date and time of restoration in unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between