

this **Federal Register** notice is the initial step in implementing that recommendation.

## B. The Regulations Undergoing Review

A summary of each of the regulations being reviewed in the pilot phase of this program is provided below. The full text of the regulations may be accessed at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_03/16cfrv2\\_03.html](http://www.access.gpo.gov/nara/cfr/waisidx_03/16cfrv2_03.html).

### 1. Walk-Behind Power Mowers

The safety standard for walk-behind power mowers appears at 16 CFR part 1205. It was promulgated in 1979. 44 FR 10024 (February 15, 1979). The standard prescribes safety requirements for certain walk-behind power lawnmowers, including labeling and performance requirements. The performance requirements apply to rotary mowers. The labeling requirements apply to both rotary and reel-type mowers. The standard is intended to reduce the risk of injury to consumers caused by contact, primarily of the foot and hand, with the rotating blade of the mower. The standard was issued under authority of the CPSA.

### 2. Electrically Operated Toys

The requirements for electrically operated toys and other electrically operated articles intended for use by children appear at 16 CFR part 1505. 38 FR 27032 (September 27, 1973). The regulation includes a number of requirements intended to reduce the risk of electrical, mechanical and/or thermal hazards. Part 1505 was promulgated under authority of the FHSA.

### 3. Standard for Flammability of Vinyl Plastic Film

The standard for flammability of vinyl plastic film appears at 16 CFR part 1611. It was codified at that location in 1975 under authority of the FFA. 40 FR 59894 (December 30, 1975). The standard was originally Commercial Standard 192-53, Flammability of General Purpose Vinyl Plastic Film, issued by the Department of Commerce, and later incorporated by Congress into the Flammable Fabrics Act of 1953. The standard establishes a minimum standard for the flammability of nonrigid, unsupported, vinyl plastic film including transparent, translucent, and opaque material, whether plain, embossed, molded or otherwise surface treated. Subpart A of part 1611 sets forth the standard. Subpart B contains the implementing regulations for the subpart A standard.

### 4. Salicylates

The Commission is reviewing two regulations that require child-resistant packaging for certain salicylate compounds. The first regulation, 16 CFR 1700.14(a)(1), requires child-resistant packaging for certain aspirin-containing oral drugs. The second, 16 CFR 1700.14(a)(3), requires child-resistant packaging for certain products containing methyl salicylate (oil of wintergreen). These regulations were promulgated under authority of the PPPA. The aspirin regulation was originally issued in 1972, 37 FR 3427 (February 16, 1972). The methyl salicylate regulation was also issued in 1972, 37 FR 6184 (March 25, 1972).

## C. Possible Future Program

The Commission expects that, subject to the availability of personnel and fiscal resources and the priority of other needs for Commission action, it would apply the results of the pilot program to developing and implementing a systematic review process for the remainder of its substantive regulations. This could involve review of 19 regulations under the CPSA, 42 rules under the FHSA, 7 rules under the FHSA, and 31 rules under the PPPA. The CPSC rule under the Refrigerator Safety Act could also be a candidate for review.

## D. Solicitation of Comments and Information

The Commission invites interested persons to submit comments on each of the regulations being reviewed in the pilot phase of this program. In particular, commenters are asked to address:

1. Whether the regulation is consistent with CPSC program goals.
2. Whether the regulation is consistent with other CPSC regulations.
3. Whether the regulation is current with respect to technology, economic, or market conditions, and other mandatory or voluntary standards.
4. Whether the regulation can be streamlined to minimize regulatory burdens, particularly any such burdens on small entities.

For each regulation being reviewed in this pilot program, please provide any specific recommendations for change(s), if viewed as necessary, a justification for the recommended change(s), and, with respect to each suggested change, a statement of the way in which the change can be accomplished within the statutory framework of the CPSA, FHSA, FFA, or PPPA, as applicable.

Comments and other submissions should be captioned "Pilot Regulatory

Review Project" and mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland 20814. Comments and other submissions may also be filed by facsimile to (301) 504-0127 or by e-mail to [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov).

All comments and other submissions must be received by March 29, 2004.

Dated: January 22, 2004.

**Todd A. Stevenson,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 04-1744 Filed 1-27-04; 8:45 am]

**BILLING CODE 6355-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7615-2]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Tyler Refrigeration Pit Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region III is issuing a notice of intent to delete the Tyler Refrigeration Pit Superfund Site (Site) located in Smyrna, Delaware, from the National Priorities List (NPL) and requests public comments on this notice of intent. 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, which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA and the State of Delaware, through the Department of Natural Resources and Environmental Control (DNREC), have determined that all appropriate response actions under CERCLA, other than operation and maintenance and five-year reviews, have been completed. However, this deletion does not preclude future actions under CERCLA.

In the "Rules and Regulations" section of today's **Federal Register**, EPA is publishing a direct final notice of deletion of the Tyler Refrigeration Pit Site without prior notice of intent to delete because EPA views this as a noncontroversial deletion and anticipates no adverse comment. EPA

has explained its reasons for this deletion in the direct final notice of deletion. If EPA receives no adverse comment(s) on the direct final notice of deletion, EPA will not take further action. If EPA receives adverse comment(s), EPA will withdraw the direct final notice of deletion and it will not take effect. EPA will, as appropriate, address all public comments in a subsequent final deletion notice based on this notice of intent to delete. EPA will not institute a second comment period on this notice of intent to delete. Any parties interested in commenting must do so at this time. For additional information, see the Direct Final Notice of Deletion which is located in the "Rules and Regulations" section of this **Federal Register**.

**DATES:** Comments concerning this Site must be received by February 27, 2004.

**ADDRESSES:** Written comments should be addressed to: Matthew T. Mellon, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3168.

**FOR FURTHER INFORMATION CONTACT:** Matthew T. Mellon, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3168 or 1-800-553-2509.

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final Notice of Deletion which is located in the "Rules and Regulations" section of this **Federal Register**.

**Information Repositories:** Repositories have been established to provide detailed information concerning this decision at the following addresses: U.S. EPA Region III, Regional Center for Environmental Information (RCEI), 1650 Arch Street (2nd Floor), Philadelphia, PA 19103-2029, (215) 814-5254, Monday through Friday, 8 a.m. to 5 p.m.; and in Delaware at the Delaware Department of Natural Resources and Environmental Control, Site Investigation and Restoration Branch, 391 Lukens Drive, New Castle, DE 19720, (302) 395-2600, Monday through Friday, 8 a.m. to 4 p.m.

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

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

**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.

Dated: November 18, 2003.

**Donald S. Welsh,**

*Regional Administrator, U.S. EPA Region III.*

[FR Doc. 04-1822 Filed 1-27-04; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-1999-3705]

RIN 2127-AG16

#### Federal Motor Vehicle Safety Standards; Door Locks and Door Retention Components

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Termination of rulemaking.

**SUMMARY:** On August 25, 1995, the National Highway Traffic Safety Administration (NHTSA) received a petition for rulemaking from Independent Mobility Systems (IMS) requesting that the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 206, "Door Locks and Door Retention Components," be modified to exclude retention components on doors modified for use with wheelchair ramp systems. NHTSA granted the IMS petition on May 31, 1996. This notice discusses our decision to terminate rulemaking on this petition.

**FOR FURTHER INFORMATION CONTACT:** The following persons may be contacted at the National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590:

*For Technical Issues:* Mr. Maurice Hicks, Office of Crashworthiness Standards, NVS-113, telephone (202) 366-6345, facsimile (202) 366-4329, electronic mail:

*maurice.hicks@nhtsa.dot.gov.*

*For Legal Issues:* Ms. Rebecca MacPherson, Office of the Chief Counsel (202) 366-2992, facsimile (202) 366-2260, electronic mail:

*rebecca.macpherson@nhtsa.dot.gov.*

**SUPPLEMENTARY INFORMATION:** You may read the materials placed in the docket for this notice (e.g., the August 25, 1995, IMS petition and subsequent rulemaking notices) by going to the Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590.

You may also read the materials on the Internet. To do so, take the following steps:

(1) Go to the Web page of the Department of Transportation DMS (<http://dms.dot.gov/>).

(2) On that page, click on "search" near the top of the page or scroll down to the words "Search the DMS Web" and click on them.

(3) On the next page (<http://dms.dot.gov/search/>), scroll down to "Docket Number" and type in the four-digit docket number shown in the title at the beginning of this notice. After typing the docket number, click on "search."

(4) On the next page ("Docket Summary Information"), which contains docket summary information for the materials in the docket you selected, scroll down to "search results" and click on the desired materials. You may download the materials.

#### Background

NHTSA received a petition for rulemaking from Independent Mobility System (IMS), Inc., (4100 W. Piedras Street, Farmington, New Mexico 87401) on August 25, 1995, requesting an exemption from the requirements of FMVSS No. 206 for retention components on any door modified for use with a wheelchair ramp system. IMS claimed that exempting wheelchair ramps was necessary to aid in transporting disabled persons. It justified its request on the basis that wheelchair ramps share the same purpose and configuration as wheelchair lifts, which are exempted from the standard. The petitioner stated that, as with lifts, wheelchair ramp platforms are vertically stored within the vehicle's doorway, with the purpose of creating a barrier to prevent occupant ejections.

IMS requested an inclusion of the term "wheelchair ramp" along with "wheelchair lifts" in paragraph S4 of FMVSS 206. IMS asked that paragraph S4 be revised as follows:

S4. (c) Components on any side door leading directly into a compartment that contains one or more seating accommodations shall conform to this standard. However, components on folding doors, roll-up doors, doors that are designed to be easily attached to or removed from motor vehicles manufactured for operation without doors, and any side doors which are equipped with wheelchair lifts or wheelchair ramps and that are linked to an alarm system consisting of either a flashing visible signal located in the driver's compartment or an alarm audible to the driver that is activated when the door is open, need not conform to this standard.

On May 31, 1996, NHTSA issued a **Federal Register** notice granting the IMS petition (61 FR 27325).