

scope of Army review of NEPA documents. If the Army is a major approval authority or may be severely impacted by the proposal or an alternative, the Army should undertake the same level of review as if it were the Lead Agency; if the involvement is limited, the review may be substantially less. The Lead Agency is responsible for overall supervision of the EIS, and the Army will attempt to meet all reasonable timeframes imposed by the Lead Agency.

Gregory D. Showalter,

*Army Federal Register Liaison Officer.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[LA-34-1-7300b, FRL-5531-5]

#### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Correction of Classification; Approval of the Maintenance Plan; Redesignation of Pointe Coupee Parish to Attainment for Ozone

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

**ACTION:** Proposed rulemaking.

**SUMMARY:** The EPA is today approving a request from the State of Louisiana to remove Pointe Coupee Parish, Louisiana from the Baton Rouge serious ozone nonattainment area and reclassify Pointe Coupee Parish from serious to marginal. In addition, the EPA is proposing approval of a request from the State of Louisiana to redesignate Pointe Coupee to attainment for ozone. On December 20, 1995, the State of Louisiana submitted a maintenance plan and request to redesignate the Pointe Coupee Parish ozone nonattainment area to attainment. Under the Clean Air Act as amended in 1990 (the Act), nonattainment areas may be redesignated to attainment if sufficient data are available to warrant the redesignation and the area meets the other Act redesignation requirements. In this action, the EPA is proposing approval of Louisiana's redesignation request and maintenance plan because it meets the maintenance plan and redesignation requirements set forth in the Act, and the EPA is proposing approval of the 1993 base year emissions inventory. The approved maintenance plan will become a

federally enforceable part of the State Implementation Plan for Louisiana. Please see the direct final notice of this action located elsewhere in today's Federal Register for a detailed description of the redesignation request and maintenance plan.

**DATES:** Comments on this proposed rule must be postmarked by August 21, 1996.

**ADDRESSES:** Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6PD-L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

Environmental Protection Agency, Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.

Louisiana Department of Environmental Quality, Office of Air Quality, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana 70810.

Anyone wishing to review this petition at the Region 6 EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Lt. Mick Cote, Air Planning Section (6PD-L), EPA Region 6, telephone (214) 665-7219.

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

Authority: 42 U.S.C. 7401-7671q.

Dated: June 27, 1996.

Carol M. Browner,  
*Administrator.*

[FR Doc. 96-18195 Filed 7-19-96; 8:45 am]

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## 40 CFR PART 300

[FRL-5539-8]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Intent to Delete the St. Augusta Landfill/Engen Dump from the National Priorities List; request for comments.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the St. Augusta Landfill/Engen Dump Site from the National Priorities List (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 Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State of Minnesota, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

**DATES:** Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before August 21, 1996.

**ADDRESSES:** Comments may be mailed to Gladys Beard, Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd. (SR-6J), Chicago, IL 60604.

Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: Minnesota Pollution Control Agency, 520 Lafayette RD., St. Paul, MN 55155-4194. Requests for comprehensive copies of documents should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**FOR FURTHER INFORMATION CONTACT:** Gladys Beard (SR-6J), Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-7253 or Susan Pastor (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-1325.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the St. Augusta/Engen Dump Site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous

Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. The 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 those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) days after publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the history of this site and explains how the site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

## II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete Sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, U.S. EPA will consider, in consultation with the State, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further response action by responsible parties is appropriate; or

(iii) The Remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, remedial measures are not appropriate.

## III. Deletion Procedures

Upon determination that at least one of the criteria described in 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This Federal Register notice, and a concurrent notice in the

local newspaper in the vicinity of the Site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines the deletion from the NPL is appropriate, final notice of deletion will be published in the Federal Register.

## IV. Basis for Intended Site Deletion

The St. August Landfill/Engen Dump is located in the northeast quarter of Section 12, T123N, R28W, and the northwest quarter 7, T123N, R27W of St. Augusta Township, Stearns County, Minnesota. The site is bounded by the Mississippi River on the northeast, Johnson Creek on the southeast, Interstate Highway 94 on the west, and privately owned land to the south and the north.

The Engen Dump consists of two areas approximately 11 acres and 8 acres in size. The St. Augusta Landfill is approximately 16 acres in size. A borrow pit that was used to provide cover material for the St. Augusta Landfill is located on the northern side of the landfill.

Landfilling operations were conducted at the dump and landfill between 1966 and 1982. The site was the primary waste disposal site for the St. Cloud area during this time. The Engen Dump began to receive municipal, commercial, and industrial wastes in 1966. The industrial wastes disposed of at the dump consisted of ground glass, solids and sledges, paper pulp waste, ash, and small amounts of cutting oils, coolants, solvents, paints, and cleaning compounds. The dump was phased out of operation between 1971 and 1972 and portions of the dump were covered with on-site soils.

In June of 1985, the site was given a score of 34 under the Superfund program hazard ranking system score. The site was proposed for the Federal National Priorities (NPL) on September 8, 1985. The listing was finalized in July 22, 1987, 52 FR 140.

A September 1992 Groundwater Operable Unit Remedial Investigation/ Feasibility Study (RI/FS) was prepared

to fulfill the requirements of the Request for Response Action (RFRA) issued by the Minnesota Pollution Control Agency (MPCA) in 1993. The recommended remedial action under the RFRA for addressing site contamination was no further action. A no further response action was chosen for the Site because a Closure Plan was prepared and executed for the landfill as part of the Solid Waste Disposal Facility Permit (SW-35) issued by MPCA. No final Record of Decision (ROD) was issued on the Site.

In 1994, the Legislature of the State of Minnesota enacted the Landfill Cleanup Law, Minn. Laws 1994, ch. 639, codified at Minn. Stat. §§ 115B.39 to 115B.46 (the Act), authorizing the Commissioner of the Minnesota Pollution Control Agency (MPCA) to assume responsibility for future environmental response actions at qualified landfills that have received notices of compliance from the Commissioner of MPCA. Additionally, the Act established funds to enable the MPCA to perform all necessary response, operation and maintenance at such landfills. At sites where no responsible parties are conducting response actions under CERCLA, MPCA is responsible for issuing a notice of compliance, after it determines that all work that could be expected under a state order or under state closure requirements, has been completed.

A notice of compliance was issued by MPCA for the St. August Landfill/Engen Dump Site on May 8, 1995. MPCA has since assumed all responsibility for the St. August Landfill/Engen Dump under the Act. Therefore, no further response actions under CERCLA are appropriate at this time. Consequently, U.S. EPA proposes to delete the site from the NPL.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the St. August Landfill/Engen Dump Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and environment. Therefore, EPA proposes to delete the site from the NPL.

Dated: June 17, 1996.

David A. Ullrich,

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

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