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Commenters should not submit electronically any confidential business information (CBI). An original and two copies of CBI must be submitted under separate cover to: Regina Magbie, RCRA CBI Document Control Officer, EPA Office of Solid Waste, 2800 Crystal Drive, 7th Floor, Cube 16, Washington, DC 22202. Public comments and

supporting materials are available for viewing in the EPA Docket Center, located at 1301 Constitution Ave, NW Room B102, Washington, DC 20460. The RIC is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding federal holidays. To review docket materials, it is recommended that the public make an appointment by calling (202) 566-0270. The public may copy a maximum of 266 pages from any regulatory document at no cost. Additional copies over 266 pages will cost \$0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information, contact the RCRA Hotline at (800) 424-9346 or TDD (800) 553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call (703) 412-9810 or TDD (703) 412-3323. For more detailed information on specific aspects of this rulemaking, contact Kim Kirkland (5307W), Office of Solid Waste, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave, SW., Washington, DC 20460, (703) 308-8885, kirkland.kim@epa.gov.

SUPPLEMENTARY INFORMATION: On October 30, 2002 (67 FR 210), EPA proposed to amend a variety of testing and monitoring requirements throughout the Resource Conservation and Recovery Act (RCRA) regulations. As noted in the proposal, the Agency wants to allow more flexibility when conducting RCRA-related sampling and analysis, by removing unnecessary required uses of methods found in “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” also known as “SW-846,” and only retaining the requirement to use SW-846 methods when the method is the only one capable of measuring a particular property (*i.e.*, it is used to measure a required method-defined parameter). This is an important step towards a performance-based measurement system (PBMS), as part of the Agency’s efforts towards Innovating for Better Environmental Results. In addition, we proposed to: Withdraw the reactivity method guidelines from SW-846 Chapter Seven; amend the ignitability and corrosivity hazardous waste characteristic regulations by clarifying the use of certain methods; incorporate by reference Update IIIB to SW-846; add Method 25A for analyses conducted in support of certain RCRA air emission standards; and remove a confidence limit requirement for certain feedstream analyses conducted under the National Emission Standards for Hazardous Air Pollutants (NESHAP). Simultaneously, the Agency also announced the availability of a new guidance document for public comment entitled “RCRA

Waste Sampling Draft Technical Guidance.” The Agency believes the new guidance when used should make it easier and more cost effective to comply with affected regulations, without compromising human health or environmental protection. By extending the comment period to February 28, 2003, we are accommodating a request by several parties for additional time to prepare extensive relevant comments.

Dated: January 8, 2003.

Robert Springer,

Director of the Office of Solid Waste and Emergency Response.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-7438-7]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the ATSF Clovis Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region 6 is publishing a direct final notice of deletion of the ATSF Clovis Superfund Site (Site), located in Curry County, Clovis New Mexico, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is found at appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the State of New Mexico, through the New Mexico Environment Department (NMED), 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 Superfund.

In the “Rules and Regulations” section of today’s **Federal Register**, we are publishing a direct final notice of deletion of the ATSF Clovis Superfund Site without prior notice of intent to delete because we view this as a noncontroversial revision and anticipate no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final