

from the RMA/NPL Site are proposed in accordance with 40 CFR 300.425(e) and Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List (60 FR 55466 (November 1, 1995)). As described in 40 CFR 300.425(e)(3), portions of a site deleted from the NPL remain eligible for further remedial actions if warranted by future conditions.

EPA will accept comments concerning its intent for the SPA and SDA partial deletions from the RMA/NPL Site until September 25, 2003.

Section II of this action explains the criteria for deleting sites from the NPL. Section III discusses the procedures that EPA is using for these proposed partial deletions. Section IV explains how the SPA and SDA each meet the deletion criteria.

## II. NPL Deletion Criteria

The NCP establishes the criteria that EPA 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 to protect public health or the environment. In making such a determination pursuant to § 300.425(e), EPA will consider, in consultation with the State, whether any of the following criteria have been met:

Section 300.425(e)(1)(i). Responsible parties or other persons have implemented all appropriate response actions required; or

Section 300.425(e)(1)(ii). All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

Section 300.425(e)(1)(iii). The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking remedial measures is not appropriate.

A partial deletion of a site from the NPL does not affect or impede EPA's ability to conduct CERCLA response activities for portions not deleted from the NPL. In addition, deletion of a portion of a site from the NPL does not affect the liability of responsible parties or impede agency efforts to recover costs associated with response efforts. The U.S. Army and Shell Oil Company will be responsible for all future remedial actions required at the areas deleted if future site conditions warrant such actions.

## III. Deletion Procedures

Upon determination that at least one of the criteria described in § 300.425(e) of the NCP has been met, EPA may formally begin deletion procedures. The

following procedures were used for the proposed deletion of the SPA and SDA portions of the RMA/NPL Site:

(1) EPA has recommended the partial deletions and prepared the relevant documents.

(2) The State of Colorado, through the CDPHE, concurred with publication of the notices of intent for partial deletion.

(3) Concurrent with the national Notices of Intent for Partial Deletion, a local notice was published in a newspaper of record and distributed to appropriate federal, State, and local officials, and other interested parties. These notices announced a thirty (30) day public comment period for each deletion package, both ending August 26, 2003, based upon publication of the notices in the **Federal Register** and a local newspaper of record.

(4) Concurrent with this national Notice of the Public Comment Extension, a local notice has been published in a newspaper of record and has been distributed to appropriate federal, State, and local officials, and other interested parties. These notices announce a thirty (30) day extension of the public comment periods, which end on September 25, 2003.

(5) EPA has made all relevant documents available at the information repositories listed previously for public inspection and copying.

Upon completion of the thirty (30) calendar day extension of the public comment periods, EPA Region 8 will evaluate each significant comment and any significant new data received before issuing a final decision concerning the proposed partial deletions. EPA will prepare a responsiveness summary for both the SPA and SDA for each significant comment and any significant new data received during the public comment periods and will address concerns presented in such comments and data. The responsiveness summaries will be made available to the public at the EPA Region 8 office and the information repository listed above and will be included in the final deletion packages. Members of the public are encouraged to contact EPA Region 8 to obtain a copy of the responsiveness summaries. If, after review of all such comments and data, EPA determines that either of the partial deletions from the NPL is appropriate, EPA will publish a final notice of partial deletion in the **Federal Register**.

Deletion of the SPA or the SDA from the RMA/NPL Site does not actually occur until a final notice of partial deletion is published in the **Federal Register**. A copy of each final partial deletion package will be placed at the EPA Region 8 office and the information

repository listed above after the final documents have been published in the **Federal Register**.

## IV. Basis for Intended Partial Site Deletion

This notice announces a thirty (30) day extension of the public comment periods for the proposed partial deletions from the RMA/NPL Site. EPA Region 8 announced its intent to delete the SPA and SDA portions of the RMA/NPL Site from the NPL on July 28, 2003. The original basis for deleting the SPA and SDA from the RMA/NPL Site has not changed. The **Federal Register** notice for the SPA (68 FR 44259) and the SDA (68 FR 44265) provide a thorough discussion of the bases for the intended partial deletions.

Dated: August 18, 2003.

**Robert E. Roberts,**

*Regional Administrator, Region 8.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 13 and 21

#### RIN 1018-AC57

#### Revisions to General Permit Procedures

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule revises the U.S. Fish and Wildlife Service's permit application fee schedule for permits issued by the Divisions of Migratory Bird Management, Endangered Species, Law Enforcement, and Management Authority. The rule also clarifies several aspects of Service permit application procedures, and updates permit-related Service addresses. Additionally, the rule extends the tenure of two types of migratory bird permits.

**DATES:** Send comments on this proposal by October 10, 2003.

**ADDRESSES:** You may mail or deliver comments to the Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, MBSP 4107, Arlington, Virginia 22203-1610. Alternatively, you may submit your comments via the Internet to: [permitspart13@fws.gov](mailto:permitspart13@fws.gov). Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Please also include your name and return address in your e-mail message.