

for subsurface soils (below two feet from the surface). However, during the remedial action data showed that in areas where the Site soils were below the Benzo (a) Pyrene (B(a)P) clean-up levels there were still high levels of pentachlorophenol (PCP) in the soil. To assure that the soil in these areas was treated, a non-significant change to the 1995 ROD was issued by EPA on March 5, 1999. This non-significant change established a cleanup level of 5.0 ppm PCP. In addition, another non-significant change was the use of treated soils from the Site as backfill below the water table. These treated soils were required to meet a clean-up level of 1.7 ppm PCP. This change from the 1995 ROD was announced during the public meeting on November 7, 1996 and documented in the "Site Specific Work Plan," dated July 1997.

#### Post Closure Monitoring

A Post Closure Monitoring Plan, dated November 2000, was prepared to verify the success of the cleanup. The plan required sampling a network of monitoring wells throughout the Site including one well at the center of the former lagoon area. In addition the plan required the evaluation of the restored uplands and wetlands areas that had undergone excavation, backfilling, and re-vegetation. The monitoring wells were sampled quarterly from October 2000 to September 2002. Samples were analyzed for target compounds such as semi-volatiles, polynuclear aromatic hydrocarbons (PAH), and pentachlorophenol (PCP). All the sampling results showed that levels for these contaminants were well below their respective Maximum Contaminant Levels (MCLs) established under the Safe Drinking Water Act, 42 U.S.C. 300f *et seq.* Formal inspections of the wetland and upland areas were conducted concurrently with the monitoring well sampling effort. These areas showed no signs of erosion. All disturbed wetland areas have stabilized. The disturbed uplands areas are currently stabilized with grass, and the overall upland area is showing 95 percent total herbaceous coverage. After completion of sampling in September 2002 all monitoring wells and the 600-foot deep production well were subsequently closed out in accordance with MDE regulations for well abandonment. The production well required special close-out procedures involving blasting. The concern for this very deep well was that ground water from the upper non-potable aquifer could migrate down to the lower potable aquifer along possible voids on the outside of the well sleeve. Complete

separation of these two aquifers was assured by blasting the well sleeve open at a point where there was an impervious clay layer between the upper and lower aquifers and then pumping in grout material to seal the well.

#### Five-Year Review

EPA has completed two Five-Year Reviews for this Site. The first was completed on September 30, 1994 and the second on September 30, 1999. Since the clean-up was ongoing these reviews were not required by statute, but were conducted as a matter of policy.

Five-Year Reviews are required at sites where the remedial action results in hazardous substances, pollutants or contaminants remain at the site above levels that allow for unrestricted use and unrestricted exposure. The response actions conducted at the Southern Maryland Wood Treating Site are now complete, and allow for unlimited use and unrestricted exposure, thus no additional Five-Year Reviews will be conducted for this Site.

#### Community Involvement

Public participation activities have been satisfied as required in CERCLA section 113(k), 42 U.S.C. 9613(k), and CERCLA section 117, 42 U.S.C. 9617. Documents in the Site docket which EPA relied on for recommendation of the deletion of the Site from the NPL are available to the public in the information repositories.

#### V. Deletion Action

EPA, with the concurrence of the State of Maryland, has determined that all appropriate responses under CERCLA have been completed at the Site, and that no further response actions are necessary. Therefore, EPA is deleting the Site from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication of a notice of intent to delete. This action will be effective April 5, 2005, unless EPA receives adverse comments by March 7, 2005, on this notice or the parallel notice of intent to delete published in the "Proposed Rules" section of today's **Federal Register**. If adverse comments are received within the 30-day public comment period, EPA will publish a timely withdrawal of this direct final notice of deletion before the effective date of the deletion and it will not take effect and EPA will also prepare a response to comments and continue with the deletion process on the basis of the notice of intent to delete and the comments already received.

There will be no additional opportunity to comment.

#### 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.

Dated: January 26, 2005.

**Richard J. Kampf,**

*Acting Regional Administrator, Region III.*

■ For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

#### PART 300—[AMENDED]

■ 1. The authority citation for part 300 continues 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 under Maryland ("MD") by removing the site name "Southern Maryland Wood Treating, Hollywood."

[FR Doc. 05–2058 Filed 2–3–05; 8:45 am]

BILLING CODE 6560–50–P

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Chapter 301

[FTR Amendment 2005–01; FTR Case 2005–301]

RIN 3090–A103

#### Federal Travel Regulation; Privately Owned Vehicle Mileage Reimbursement

**AGENCY:** Office Governmentwide Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the mileage reimbursement rate for use of a privately owned vehicle on official travel to reflect current costs of operation as determined in cost studies conducted by the General Services Administration (GSA). The governing regulation is revised to increase the mileage allowance for advantageous use of a privately owned airplane from \$0.995 to \$1.07 per mile, the cost of operating a privately owned automobile from \$0.375 to \$0.405 per mile, and the cost of operating a privately owned motorcycle from \$0.285 to \$0.305 per mile.

**DATES: Effective Date:** The provisions of this final rule are effective February 4, 2005, and applies to travel performed on or after that date.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. For clarification of content, contact Devoanna R. Reels, Program Analyst, Office of Governmentwide Policy, Travel Management Policy, at (202) 501-3781. Please cite FTR case 2005-301, FTR Amendment 2005-01.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Pursuant to 5 U.S.C. 5707(b), the Administrator of General Services has the responsibility to establish the privately owned vehicle (POV) mileage reimbursement rates. Separate rates are set for airplanes, automobiles (including trucks), and motorcycles. In order to set these rates, GSA is required to conduct periodic investigations, in consultation with the Secretaries of Defense and Transportation, and representatives of Government employee organizations, of the cost of travel and the operation of POVs to employees while engaged on official business. As required, GSA conducted an investigation of the costs of operating a POV and is reporting the cost per mile determination. The results of the investigation have been reported to Congress and a copy of the report appears as an attachment to this document. GSA's cost studies show the Administrator of General Services has determined the per-mile operating costs of a POV to be \$1.07 for airplanes, \$0.405 for automobiles, and \$0.305 for motorcycles. As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for automobiles of \$0.405 per mile effective January 1, 2005. Additionally, based on updated data for the two-tiered reimbursement rates reflecting costs to an agency of operating a Government-furnished vehicle (GFV), the current reimbursement rate of \$0.270 per mile increased to \$0.285 per mile (when a GFV is available to an employee). The current reimbursement rate of \$0.105 per mile (when a GFV is assigned directly to an employee) will remain the same.

**B. Executive Order 12866**

This is not a significant regulatory action and, therefore, was not subject to

review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**C. Regulatory Flexibility Act**

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**E. Small Business Regulatory Enforcement Fairness Act**

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

**List of Subjects in 41 CFR Part 301-10**

Government employees, Travel and transportation expenses.

Dated: January 25, 2005.

**Stephen A. Perry,**  
*Administrator of General Services.*

■ For the reasons set forth in the preamble, under 5 U.S.C. 5701-5709, GSA amends 41 CFR part 301-10 as set forth below:

**PART 301-10—TRANSPORTATION EXPENSES**

■ 1. The authority citation for 41 CFR part 301-10 is revised to read as follows:

**Authority:** 5 U.S.C. 5707; 40 U.S.C. 121(c); 49 U.S.C. 40118.

■ 2. In section 301-10.303 revise the last three entries in the table to read as follows:

**§ 301-10.303 What am I reimbursed when use of a POV is determined by my agency to be advantageous to the Government?**

For use of a	Your reimbursement is
* * * * *	* * * * *
Privately owned airplane .....	1 \$1.07
Privately owned automobile .....	1 \$0.405
Privately owned motorcycle .....	1 \$0.305

1 Per mile.

The following attachment will not appear in the Code of Federal Regulations.

**Attachment to Preamble—Report To Congress On The Costs Of Operating Privately Owned Vehicles**

5 U.S.C. 5707(b)(1)(A) requires that the Administrator of General Services, in consultation with the Secretary of Defense, the Secretary of Transportation, and representatives of Government employee organizations, conduct periodic investigations of the cost of travel and operation of privately owned vehicles (POVs) (airplanes, automobiles, and motorcycles) to Government employees while on official travel, and report the results to the Congress at least once a year. 5 U.S.C. 5707(b)(2)(B) further requires that the Administrator of General Services determine the average, actual cost per mile for the use of each type of POV based on the results of the cost investigation. Such figures must be reported to the Congress within 5 working days after the cost determination has been made in accordance with 5 U.S.C. 5707(b)(2)(C).

Pursuant to the requirements of 5 U.S.C. 5707(b)(1)(A), the General Services Administration (GSA), in consultation with the Secretary of Defense, the Secretary of Transportation, and representatives of Government employee organizations, conducted an investigation of the cost of operating a privately owned automobile (POA). As provided in 5 U.S.C. 5704(a)(1), the automobile reimbursement rate cannot exceed the single standard mileage rate established by the Internal Revenue Service (IRS). The IRS has announced a new single standard mileage rate for POAs of \$0.405 effective January 1, 2005.

As required, GSA is reporting the results of the investigation and the cost per mile determination. Based on cost studies conducted by GSA, I have determined the per-mile operating costs of a POV to be \$1.07 for airplanes, \$0.405 for POAs, and \$0.305 for motorcycles.

I will issue a regulation to increase the current \$0.995 to \$1.07 for privately owned airplanes, \$0.375 to \$0.405 for POAs, and \$0.285 to \$0.305 for privately owned motorcycles. This report to Congress on the cost of operating POVs will be published in the **Federal Register**.

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 65**

**Changes in Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response