

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[R04-OAR-2004-KY-0003-200502e; FRL-7906-4]

**Approval and Promulgation of Implementation Plans for Kentucky: Inspection and Maintenance Program Removal for Northern Kentucky; Commercial Motor Vehicle and Mobile Equipment Refinishing Operations****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** EPA is extending the comment period for a proposed rule published April 4, 2005 (70 FR 17029). On April 4, 2005, EPA proposed an approval of four related revisions to the Kentucky State Implementation Plan submitted by the Commonwealth of Kentucky on November 12, 2004. These revisions affect the Northern Kentucky area, which is comprised of the Kentucky Counties of Boone, Campbell, and Kenton, and is part of the Cincinnati-Hamilton Metropolitan Statistical Area. In response to a request from the Kentucky Resources Council, EPA is extending the comment period for 14 days.

**DATES:** The comment period is extended until May 18, 2005.

**ADDRESSES:** Comments should be submitted to: Michele Notarianni, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Phone: (404) 562-9031. E-mail: [notarianni.michele@epa.gov](mailto:notarianni.michele@epa.gov). Additional instructions to comment can be found in the notice of proposed rulemaking published April 4, 2005 (70 FR 17029).

**FOR FURTHER INFORMATION CONTACT:** Michele Notarianni, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Phone: (404) 562-9031. E-mail: [notarianni.michele@epa.gov](mailto:notarianni.michele@epa.gov).

Dated: April 21, 2005.

**A. Stanley Meiburg,***Acting, Regional Administrator, Region 4.*

[FR Doc. 05-8705 Filed 4-29-05; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 52 and 70**

[R07-OAR-2005-IA-0002; FRL-7906-8]

**Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Iowa for the purpose of clarifying that only untreated wood, seeds, pellets and other vegetative matter may be burned in fuel burning equipment and residential heating units; to remove a reference to a boiler that was removed at a power and water facility, and to clarify the language with regard to continuous emissions monitoring. One administrative correction to the operating permit program is also included in this revision. Approval of these revisions will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's revised air program rules.

**DATES:** Comments on this proposed action must be received in writing by June 1, 2005.

**ADDRESSES:** Comments may be mailed to Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Comments may also be submitted electronically or through hand delivery/courier; please follow the detailed instructions in the **ADDRESSES** section of the direct final rule which is located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Heather Hamilton at (913) 551-7039, or by e-mail at [Hamilton.heather@epa.gov](mailto:Hamilton.heather@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all

public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: April 22, 2005.

**James B. Gulliford,***Regional Administrator, Region 7.*

[FR Doc. 05-8709 Filed 4-29-05; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 52 and 70**

[R07-OAR-2005-MO-0004; FRL-7906-6]

**Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve a revision to the Missouri State Implementation Plan (SIP) and Operating Permits Program. EPA proposes to approve a revision to the Missouri rule entitled "Submission of Emission Data, Emission Fees, and Process Information." This revision will ensure consistency between the state and the Federally-approved rules.

**DATES:** Comments on this proposed action must be received in writing by June 1, 2005.

**ADDRESSES:** Comments may be mailed to Leland Daniels, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101. Comments may also be submitted electronically or through hand delivery/courier; please follow the detailed instructions in the **Addresses** section of the direct final rule which is located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Leland Daniels at (913) 551-7651, or by e-mail at [daniels.leland@epa.gov](mailto:daniels.leland@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of the **Federal**

**Register.** EPA is approving the state's submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

Dated: April 22, 2005.

**James B. Gulliford,**

*Regional Administrator, Region 7.*

[FR Doc. 05-8704 Filed 4-29-05; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[FRL-7905-6]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Lower Ecorse Creek Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency, (EPA) Region V is issuing a notice of intent to delete the Lower Ecorse Creek (LEC) Superfund Site (Site) located in Wyandotte, Michigan, from the National Priorities List (NPL) and requests public comments on this notice of intent to delete. 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 Michigan, through the Michigan Department of Environmental Quality, have determined that all appropriate response actions under CERCLA 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 LEC 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 notice of deletion. If we receive no adverse comment(s) on this notice of intent to delete or the direct final notice of deletion, we will not take further action on this notice of intent to delete. If we receive timely adverse comment(s), we will withdraw the direct final notice of deletion and it will not take effect. We will, as appropriate, address all public comments in a subsequent final deletion notice based on adverse comments received on this notice of intent to delete. We 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 section of this **Federal Register**.

**DATES:** Comments concerning this Site must be received by June 1, 2005.

**ADDRESSES:** Written comments should be addressed to: Cheryl Allen, Community Involvement Coordinator, U.S. EPA (P-19J), 77 W. Jackson, Chicago, IL 60604, 312-886-4360 or 1-800-621-8431.

**FOR FURTHER INFORMATION CONTACT:** Timothy Prendiville, Remedial Project Manager at (312) 886-5122, or Gladys Beard, NPL State Deletion Process Manager at (312) 886-7253 or 1-800-621-8431, Superfund Division, U.S. EPA (SR-6J), 77 W. Jackson, IL 60604.

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

*Information Repositories:* Repositories have been established to provide detailed information concerning this decision at the following address: EPA Region V Library, 77 W. Jackson, Chicago, IL 60604, (312) 353-5821, Monday through Friday 8 a.m. to 4 p.m.; Bacon Memorial Public Library, 45 Vinewood, Wyandotte, MI, 54656, (734)

246-8357, Monday through Friday 10 a.m. to 9 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: April 20, 2005.

**Norman Niedgang,**

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

[FR Doc. 05-8602 Filed 4-29-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 20

RIN 1018-AU13

#### Migratory Bird Hunting; Application for Approval of Tungsten-Copper-Tin-Iron Shot as Nontoxic for Hunting Waterfowl and Coots

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

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) hereby provides public notice that the Olin Corporation of East Alton, Illinois, has applied for approval of 60 percent tungsten, 35.1 percent copper, 3.9 percent tin, and 1 percent iron shot as nontoxic for waterfowl hunting in the United States. The Service has initiated review of the shot under the criteria set out in Tier 1 of the nontoxic shot approval procedures given at 50 CFR 20.134.

**DATES:** A comprehensive review of the Tier 1 information is to be concluded by July 1, 2005.

**ADDRESSES:** The Olin, Inc. application and the Administrative Record for this application may be reviewed, by appointment, in Room 4091 at the Fish and Wildlife Service, Division of Migratory Bird Management, 4501 North Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** George T. Allen, Wildlife Biologist, Division of Migratory Bird Management, (703) 358-1825.

**SUPPLEMENTARY INFORMATION:** The Migratory Bird Treaty Act of 1918 (Act)