

and programs of State and local governments participating in the national historic preservation program. The information will be used to evaluate those procedures and programs. The obligation to respond is required to obtain a benefit.

(b) The public reporting burden for the collection of information is estimated to be 480 hours for large operations and 240 hours for small operations, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information, including suggestions for reducing the burden, to Information Collection Officer, National Park Service, 800 North Capitol Street, Washington, D.C. 20013; and the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Desk Officer for the Department of the Interior (1024-0125), Washington, D.C. 20503.

Dated: July 10, 1996.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-5628-9]

National Emission Standards for Hazardous Air Pollutants for Source Categories: Group IV Polymers and Resins

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule preamble correction.

SUMMARY: This document corrects two errors in the preamble to the national emission standards for hazardous air pollutant emissions from Group IV polymers and resins published in the Federal Register on September 12, 1996 (61 FR 48208).

EFFECTIVE DATE: This action is effective September 12, 1996.

FOR FURTHER INFORMATION CONTACT: For further information about this correction document contact Mr. Robert Rosensteel, (919) 541-5608, Organic Chemicals Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: This document makes two corrections to the

preamble to the National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins published in the Federal Register on September 12, 1996 (61 FR 48208). First, we are correcting a discrepancy between the paper and electronic versions of the preamble sent to the Office of the Federal Register. In making this first change we are also altering the preamble language for the Group IV Polymers and Resins final rule to make the language consistent with the language contained in the preamble for the Group I Polymers and Resins final rule (61 FR 16093). Neither of these changes represent any change to EPA policy. Second, the published version of the preamble did not contain corrections to the Paperwork Reduction Act (PRA) section (i.e., VI., C.) to reflect approval of the Information Collection Request by the Office of Management and Budget (OMB); approval of the Information Collection Request was received just prior to publication of the final rule. There are no changes required to the regulatory text because the carcinogenicity of certain hazardous air pollutants is not discussed in the regulatory text and the regulatory text correctly reflects OMB approval of the Information Collection Request.

Dated: September 26, 1996.

Mary D. Nichols,
Assistant Administrator for Air and Radiation.

The following corrections are being made in the preamble for: National Emission Standards for Hazardous Air Pollutant Emissions from Group IV Polymers and Resins published in the Federal Register on September 12, 1996 (61 FR 48208):

1. The fifth paragraph of Section II. Summary of Considerations Made in Developing These Standards, A. Purpose of Standards is corrected to read as follows:

II. * * *

A. * * *

* * * In regard to carcinogenicity, some of these pollutants are considered to be mutagens and carcinogens, and all can cause reversible or irreversible toxic effects following exposure.

This same paragraph previously read as follows:

* * * In regard to carcinogenicity, some of the organic HAP controlled under these standards are either probable (i.e., acetaldehyde, dioxane, acrylonitrile, and butadiene) or possible (i.e., styrene) human carcinogens.

2. Paragraph C. Paperwork Reduction Act of Section VI. Administrative Requirements is being corrected to reflect approval of the Information

Collection Request. This paragraph previously portrayed the Information Collection Request as not being approved and requested comments regarding the recordkeeping and reporting burden. The corrected text is as follows:

C. Paperwork Reduction Act

The OMB has approved the information collection requirements contained in this standard under the provisions of the PRA [44 U.S.C. 3501 *et seq.*] and has assigned OMB control number 2060-0351.

The EPA is authorized by the Clean Air Act to collect information required to ensure compliance with NESHAP. Data obtained from the semiannual Periodic Reports and any other periodic reports and data obtained during visits by EPA personnel from records maintained by the respondents will be tabulated and published for internal EPA use in compliance and enforcement programs. Information contained in the Notification of Compliance Status will be entered into the Aerometric Information Retrieval Systems Facility Subsystem maintained and operated by the EPA's Office of Air Quality Planning and Standards.

This collection of information has an estimated annual recordkeeping and reporting burden of 4,000 hours per respondent. These estimates include time for all the aspects of burden as defined in the 1995 PRA and presented below. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust existing ways of complying with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

In addition to hours burden associated with the collection of information, the 1995 PRA requires the EPA to estimate the total annual cost burden resulting from the collection of information, exclusive of the hours burden. The 1995 PRA indicates that this cost should include capital costs, as well as operation and maintenance costs, associated with preparations for collecting information; monitoring,

sampling, and testing equipment; and record storage facilities. However, these costs should not include equipment or services purchased (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices. The 1995 PRA also provides for the solicitation of information required to develop these costs through multiple Federal Register notices. However, the time period available to develop these costs was not sufficient to allow the EPA to solicit the information required. In the absence of actual data, the EPA has judged it is reasonable to consider that these costs are negligible and has indicated this on the OMB Form 83-I with zeros. While there may be some respondents that experience costs, because the emissions from this industry are already fairly well-controlled, the EPA judges that most respondents will already have the required equipment (capital cost), and will have already been incurring the operation and maintenance costs.

An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The EPA is amending 40 CFR Part 9, Section 9.1, to indicate the information collection requirements contained in these final standards.

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40 CFR Part 300

[FRL-5634-6]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Marathon Battery Company site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region II announces the deletion of the Marathon Battery Company site from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated

pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New York have determined that all appropriate Hazardous Substance Response Trust Fund (Fund)-financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of New York have determined that remedial actions conducted at the site to date have been protective of public health, welfare, and the environment.

EFFECTIVE DATE: October 18, 1996.

ADDRESSES: For further information contact: Pamela Tames, P.E., Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 20th Floor, New York, NY 10007-1866, (212) 637-4255

FOR FURTHER INFORMATION CONTACT: Pamela Tames at (212) 637-4255.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Marathon Battery Company site, Cold Spring, New York.

The closing date for comments on the Notice of Intent to Delete was June 10, 1996. EPA received five comment letters.

One commenter expressed concern about the discrepancies between the Agency for Toxic Substances and Disease Registry's (ATSDR's) 20 milligram/kilogram (mg/kg) cadmium cleanup level for residential soils and the New York State Department of Health's (NYSDOH's) 10 mg/kg cadmium cleanup level. In response, it was explained that the 20 mg/kg cleanup level for cadmium in residential soils was based upon the results of a risk assessment performed by ATSDR, which made certain assumptions regarding the quantity of vegetables grown in the cadmium-contaminated residential soils and subsequently ingested by the residents. Using different assumptions, NYSDOH concluded that 10 mg/kg was protective of public health. While EPA and New York State did not agree on a residential soil remediation cleanup level, New York State agreed to remediate all contaminated residential soils between NYSDOH's 10 mg/kg cadmium cleanup level and ATSDR's 20 mg/kg cadmium cleanup level.

Several commenters expressed concern that post-excavation soil samples were not collected by New York State's contractors. In response, it was indicated that six inches of soil were removed from the entire front and back yards (cadmium contamination in the residential yards did not exist below

6 inches) if contamination was found above the State's cleanup level of 10 mg/kg. In those areas where the residents indicated that they intended to plant vegetables, 12 inches of soil was removed. Since soils in those areas that had cadmium contamination exceeding the cleanup level have been removed and replaced with clean soil and fresh sod, confirmatory sampling was not deemed necessary.

A commenter expressed concern about the presence of cadmium contamination twenty-two feet beneath the surface on the former battery facility grounds. This contamination resulted from a tank located adjacent to the former battery facility which had leaked cadmium nitrate, thereby contaminating the underlying soil. In response, it was noted that, while post-excavation sampling in one area of the site showed that some cadmium contamination remained in the saturated soils, it is believed that by placing two feet of limestone at the bottom of the twenty-by-sixty-foot excavation (to keep the cadmium insoluble) and backfilling the twenty foot deep excavation will be protective of public health and the environment and should in no way impact the ability to redevelop the former battery plant grounds.

A commenter expressed concern regarding the retention of the temporary haul road's guardrail and the construction of a barrier at the intersection of the temporary haul road and Chestnut Street, in that these improvements are inconsistent with zoning and Planning Board regulations. In response, it was explained that EPA's approved engineering design called for scarifying the temporary haul road (which was constructed to alleviate truck traffic on the Village's narrow roadways during the remediation of the site), planting grass, and installing a barrier to eliminate access from Chestnut Street. While the haul road was rendered nonfunctional and inaccessible to vehicles from Chestnut Street, the wooden guardrail, consisting of approximately two-foot-high telephone poles with a horizontal wooden rail running through it (which originally was used to prevent trucks from driving off the haul road), was left in place at the request of the property owner to protect hikers from falling from the steep slope. The Village of Cold Spring Planning Board has requested the submission of site plan documentation showing the changes that have been made to his property so that it can review the matter. EPA is working with the property owner and the contractor that performed the