

Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: May 25, 2005.

**Lawrence E. Starfield,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 05-11663 Filed 6-13-05; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 300

[FRL-7922-6]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of partial deletion of the Surface Soils of the South Tacoma Field (STF) Operable Unit of Commencement Bay—South Tacoma Channel Superfund Site from the National Priorities List.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) Region 10 announces the deletion of the surface soils at the South Tacoma Field Operable Unit of the South Tacoma Channel Superfund Site (the Site) from the National Priorities List (NPL). The NPL is defined in 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 of 1980 (CERCLA), as amended. This partial deletion pertains to the South Tacoma Field soils portion of the Site. This partial deletion does not pertain to the groundwater portion of the South Tacoma Field or to other operable units of the South Tacoma Channel Site. EPA and the State of Washington have determined that the Site poses no significant threat to public health or the environment. All appropriate response actions for soils have been implemented, therefore, no further remedial measures pursuant to CERCLA are appropriate. Partial deletion of STF soils from the NPL will not affect the status of STF soils on any Washington Department of Ecology (Ecology) lists and does not preclude Ecology from conducting future investigations or requiring response under State law on any portion of the Site.

**EFFECTIVE DATE:** June 14, 2005.

**FOR FURTHER INFORMATION CONTACT:** Kris Flint, Remedial Project Manager, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, ECL-111, Seattle, Washington 98101, (206) 553-8155.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Surface Soils of the South Tacoma Field Operable Unit of the Commencement Bay-South Tacoma Channel. A Notice of Intent to Delete for this Site was published in the **Federal Register** on April 11, 2005 (70 FR 18347). The closing date for comments was May 11, 2005. One public comment was received expressing general support of the proposed decision and does not require a responsiveness summary. Also during the public comment period, EPA received written concurrence on the proposed decision from the Agency for Toxic Substances and Disease Registry (ATSDR).

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for Fund-financed remedial action in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: May 31, 2005.

**Julie Hagensen,**

*Acting Regional Administrator, Region 10.*

■ For the reasons set out in the preamble, part 300 title 40 of Chapter 1 of the CFR, is amended as follows:

#### PART 300—[AMENDED]

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 42 U.S.C. 9601-9657; 33 U.S.C. 1321(c)(2); 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 by adding a "P" in the Notes column for the entry "Commencement Bay, South Tacoma Channel," in WA.

[FR Doc. 05-11467 Filed 6-13-05; 8:45 am]

**BILLING CODE 6560-50-P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 300

[FRL-7923-7]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion of the Naval Magazine Indian Island Superfund Site, Port Hadlock from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 10 announces the deletion of the Naval Magazine Indian Island Superfund Site, Port Hadlock, Washington, from the National Priorities List (NPL). The NPL is defined in 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 of 1980 (CERCLA), as amended. EPA and the State of Washington have determined that the Site poses no significant threat to public health or the environment. All appropriate response

actions have been implemented, therefore, no further remedial measures pursuant to CERCLA are appropriate.

**DATES:** *Effective Date:* June 14, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Harney, Remedial Project Manager, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, ECL-111, Seattle, Washington 98101, (206) 553-6635.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Naval Magazine Indian Island, Port Hadlock, Washington. A Notice of Intent to Delete for this Site was published in the **Federal Register** on April 15, 2005 (70 FR 19915). The closing date for comments was May 16, 2005. No comments were received therefore, EPA has not prepared a Responsiveness Summary.

EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Any site deleted from the NPL remains eligible for remedial actions in the unlikely that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

**List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: May 31, 2005.

**Julie M. Hagensen,**

*Acting Regional Administrator, Region 10.*

■ For the reasons set out in the preamble, part 300 title 40 of Chapter 1 of the CFR, is amended as follows:

**PART 300—[AMENDED]**

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 42 U.S.C. 9601–9657; 33 U.S.C. 1321(c)(2); 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 2 of Appendix B to part 300 is amended by removing the entry for the “Port Hadlock Detachment (USNAVY)”. [FR Doc. 05–11720 Filed 6–13–05; 8:45 am]

**BILLING CODE** 6560–50–U

**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**49 CFR Parts 172, 173, 175, 176, 178 and 180**

[Docket No. PHMSA–04–17036 (HM–215G)]

**RIN 2137–AD92**

**Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization’s Technical Instructions; Correction; Final Rule**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** On December 20, 2004, the Research and Special Programs Administration (RSPA)—the predecessor agency to the Pipeline and Hazardous Materials Safety Administration (PHMSA)—published a final rule under Docket Number RSPA–04–17036 (HM–215G) amending the Hazardous Materials Regulations (HMR) to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations and vessel stowage requirements. Because of recent changes to the International Maritime Dangerous Goods Code (IMDG Code), the International Civil Aviation Organization’s Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), and the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations), these revisions are necessary to facilitate the transport of hazardous materials in international commerce. This final rule corrects errors in the December 20, 2004 final rule.

**DATES:** *Effective Date:* The effective date of these amendments is June 14, 2005.

*Delayed Compliance Date:* Unless otherwise specified, compliance with the amendments adopted in this final rule is required beginning January 1, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Charles Betts, Office of Hazardous Materials Standards, telephone (202) 366–8553, or Shane Kelley, International Standards, telephone (202) 366–0656, Pipeline and Hazardous Materials Safety Administration.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On December 20, 2004, the Research and Special Programs Administration (RSPA)—the predecessor agency to the Pipeline and Hazardous Materials Safety Administration (PHMSA, we)—published a final rule under Docket HM–215G (69 FR 76044) revising the HMR to maintain alignment with recent changes corresponding provisions in international standards. Changes to the International Maritime Dangerous Goods Code (IMDG Code), the International Civil Aviation Organization’s Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), and the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations) necessitated amendments to domestic regulations to provide consistency and facilitate the transport of hazardous materials in international commerce. This final rule corrects various errors made during the development of the December 20, 2004 final rule and printing process. Because the amendments adopted herein impose no new regulatory burden on any person, these amendments are being made effective without the usual 30-day delay following publication.

**II. Corrections and Revisions**

*Part 172*

Section 172.101 The Hazardous Materials Table (HMT)

We are correcting entries in the HMT as follows:

- The entry “Adhesives, *containing a flammable liquid*,” UN1133, PG I is revised by correcting the Column (8C) Bulk Packaging entry “143” to read “243.”
- The entry “Aerosols, corrosive, Packing Group II or III, (each not exceeding 1 L capacity),” UN1950, is revised by correcting the Column (7) Special provisions to remove “153.”
- The entry “Aerosols, flammable, (each not exceeding 1 L capacity),” UN1950, is revised by correcting the Column (7) Special provisions to remove “153.”
- The entry “Aerosols, flammable, n.o.s. (engine starting fluid) (each not exceeding 1 L capacity),” UN1950, is revised by correcting the Column (7) Special provisions to remove “153.”
- The entry “Aerosols, non-flammable, (each not exceeding 1 L capacity),” UN1950, is revised by correcting the Column (7) Special provisions to remove “153.”
- The entry “Aerosols, poison, each not exceeding 1 L capacity,” UN1950, is