

number, serial number, and physical location.

(3) "Demo" meters may be used only for demonstrations by the manufacturer's dealer/branch representative and must remain in their control. These meters may not be left in the possession of the potential customer under any circumstance.

(4) Because "loaner" meters can print live postage, they must be licensed to the manufacturer's dealer/branch under the Postal Service Centralized Meter Licensing System (CMLS). Because each dealer/branch office may service a multitude of customers located in many different post office service areas, a single license issued from the appropriate postal district office city will cover all post offices located in that district. A Form 3601-C, Postage Meter Activity Report, must be initiated to activate a loaner meter under a dealer/branch CMLS license.

(5) Loaner meters can be placed only with customers who have been issued a CMLS meter license.

(6) Only electronic, remote set meters may be used as "loaner" meters. Representatives must record ascending and descending register readings at the time a meter is lent and when it is returned. All discrepancies must be reported immediately to the respective meter manufacturer, who will then notify Metering Technology Management. The meter must be inspected when returned from the customer. Any indication of tampering or fraudulent use also must be reported to Metering Technology Management. Use of the meter must immediately cease and must be returned to the manufacturer's QAR department via Registered mail.

(7) As both a manufacturer's representative and a meter licensee, the representative is subject to the provisions of the Domestic Mail Manual (DMM), Part P030 and 39 CFR part 501.

(8) The manufacturer's representative assumes all responsibilities under USPS meter regulations applicable to meter licensees, including having the meter set and examined. All losses incurred by the Postal Service as a result of fraudulent use of the meter by the customer are the responsibility of that customer, the meter licensee, and the manufacturer.

(9) Loaner meters must be included in the CMLS meter tracking system. A Form 3601-C must be prepared by the representative for each "loaner" meter installed or withdrawn. The licensee and meter location information must show the name of the dealer/branch and not the temporary user.

(10) The city/state designation in the "loaner" indicia must show the location where the user's mail will be deposited.

(11) The representative must ensure that "loaner" meters are available for examination by the Postal Service on demand, and are examined under postal policy.

(12) A customer may have possession of a "loaner" meter for a maximum of 5 continuous business days. In order for the customer to possess the meter for a longer period, it must be installed permanently. When customer chooses to continue the use of a postage meter, the "loaner" meter must be retrieved and a new meter installed under the customer's license.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 98-8457 Filed 4-2-98; 8:45 am]

BILLING CODE 7710-12-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MN49-01-7274b; MN50-01-7275b; FRL-5990-7]

### Approval and Promulgation of State Implementation Plans; Minnesota

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) proposes to approve revisions to the Minnesota State Implementation Plan (SIP). These SIP revisions modify Administrative Orders for Federal Hoffman Incorporated located in Anoka, Minnesota and J. L. Shiely Company located in St. Paul, Minnesota which are part of the Minnesota SIP to attain and maintain the National Ambient Air Quality Standards for sulfur dioxide and particulate matter, respectively.

In the final rules section of this **Federal Register**, EPA is approving this action as a direct final without prior proposal because EPA views this as a noncontroversial action and anticipates no adverse comments. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed action must be received by May 4, 1998.

**ADDRESSES:** Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), USEPA, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604-3590.

### FOR FURTHER INFORMATION CONTACT:

Madeline Rucker, (312) 886-0661.

**SUPPLEMENTARY INFORMATION:** For additional information, see the Direct Final rule which is located in the Rules section of this **Federal Register**. Copies of the request and the EPA's analysis are available for inspection at the following address: (Please telephone Madeline Rucker at (312) 886-0661 before visiting the Region 5 office.) U.S. EPA, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, IL 60604-3590.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: March 17, 1998.

**David A. Ullrich,**

*Acting Regional Administrator.*

[FR Doc. 98-8791 Filed 4-2-98; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5991-3]

### 40 CFR Part 300

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the National Lead Industries/Taracorp/Golden Auto Parts site from the national priorities list; request for comments.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the National Lead Industries/Taracorp/Golden Auto Parts Site (the Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State

of Minnesota, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

**DATES:** Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before May 4, 1998.

**ADDRESSES:** Comments may be mailed to Gladys Beard, Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd. (SR-6J), Chicago, IL 60604.

Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: St. Louis Park Library, 3240 Library Lane, St. Louis Park, MN 55417. Requests for comprehensive copies of documents should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**FOR FURTHER INFORMATION CONTACT:** Gladys Beard (SR-6J), Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-7253 or Don De Blasio (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-4360.

**SUPPLEMENTARY INFORMATION:**

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- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

**I. Introduction**

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the National Lead Industries/Taracorp/Golden Auto Parts Site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by Potentially Responsible Parties or the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial

actions if conditions at the Site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) days after publication of this notice in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the history of this site and explains how the Site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

**II. NPL Deletion Criteria**

The NCP establishes the criteria that the Agency 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. In making this determination, U.S. EPA will consider, in consultation with the State, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further response action is appropriate; or

(iii) The Remedial Investigation has shown that the release poses no significant threat to public health or the environment and, therefore, remedial measures are not appropriate.

**III. Deletion Procedures**

Upon determination that at least one of the criteria described in § 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This **Federal Register** notice, and a concurrent notice in the local newspaper in the vicinity of the Site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were

received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines the deletion from the NPL is appropriate, final notice of deletion will be published in the **Federal Register**.

**IV. Basis for Intended Site Deletion**

The NL/Taracorp/Golden Auto Parts Sites was the location of a secondary lead smelter from 1940 to 1982. The Site is located in Hennepin County, Minnesota, in the City of St. Louis Park. The Site consists of contiguous properties, one portion which was formerly owned by NL Industries and Taracorp, Inc. at 3645 Hampshire Avenue South and the other portion which is owned by Morris and Harry Golden at 7003 West Lake Street. The Golden's now own both of these properties.

Originally owned by NL Industries, Inc., the lead smelting facility was sold to Taracorp in August 1979. Taracorp ceased operation of the smelter in February 1981. NL sold the Golden property to Republic Enterprises, Inc. in 1962, who in turn sold this four and one-half acre parcel to Morris and Harry Golden. As previously mentioned, the Golden's now also own the Taracorp property of the site. The Golden's leased the Golden property to Golden Auto Parts Co., who operated an automobile wrecking and used automobile parts business from 1964 to January 1983.

The land use adjacent to the Site is light industry and commercial. Residential areas are within 1/4 mile of the Site on the north, east, and western sides. The prominent wind direction is from west-northwest towards east-southeast. Minnehaha Creek is about one-half mile to the south and the Mississippi River is approximately six miles northwest of the Site. The Site is not in a floodplain.

Soils in the area consist of fine sands to coarse gravel, separated by glacial till. The depth of the surface drift varies from 30 to 100 feet and is underlain by five bedrock aquifers. The uppermost aquifer (the Platteville) is located at about 90 to 100 feet, with the St. Peter aquifer located just below (about 100 to 200 feet). The St. Peter formation is underlain by the Prairie du Chien-Jordan group (380 feet), the Ironton-Galesville aquifer (700 feet) and the Mt. Simon-Hinkley aquifer (1,000 feet). The Prairie du Chien-Jordan and Mt. Simon-Hinkley aquifers are the primary sources of drinking water in the area, supplying 90% of all ground water used in the region.

A secondary lead smelter was operated at the site location from 1940 until 1982. The secondary lead smelting operations recovered lead from lead plates, battery fragments, and lead containers. A blast furnace was used until 1960, when it was replaced with a reverberatory smelting furnace. Industrial operations and on-site waste disposal activities conducted from 1940 until 1982 resulted in elevated lead levels in air and on-site soils and were suspected of causing elevated lead levels in on-site groundwater and off-site soils. The Site was proposed for the National Priorities List (NPL) of Superfund sites on October 22, 1981, the site was placed on the NPL September 8, 1983.

The MPCA issued a Request For Response Action to NL, Taracorp, and Golden Auto Parts in January 1984. In 1985, NL voluntarily entered into an Administrative Order and Response Order by Consent (Consent Order) with the MPCA and U.S. EPA, in accordance with the Minnesota Environmental Response and Liability Act (MERLA) and the Federal Comprehensive Environmental Response, Compensation, and the Liability Act (CERCLA). The Consent Order called for the design and implementation of the following activities:

1. On-site soils investigation, stabilization, and cleanup;
2. On-site groundwater investigation and long-term groundwater monitoring program; and
3. An off-site soil remedial investigation, and if necessary, a feasibility study to evaluate remedial alternatives.

NL conducted these activities with oversight by MPCA and U.S. EPA.

The on-site investigation and cleanup activities were conducted between 1985 and 1988. Except for ongoing and future long-term operation, maintenance, and monitoring, NL completed the final onsite remedial activity, capping the Site with asphalt, in June 1988. NL investigated the groundwater quality beneath the Site for site-related contaminants. Significant levels of such contaminants were not detected. In

November 1987, MPCA, U. S. EPA and NL agreed to the details of the 30-year long-term groundwater monitoring program which started with the effective date of the Consent Order. The purpose of the monitoring program is to ensure that the groundwater quality on-site remains acceptable. NL is required to submit Annual Reports for the long-term monitoring, and long-term maintenance which includes maintaining the integrity of the asphalt cap. The Consent Order requires NL to take action if, in the future, site related contaminants are detected in the groundwater in excess of prescribed levels set forth in the Consent Order.

As part of the Consent Order, NL was also required to investigate the surface soils near the Site, and if necessary, prepare a Response Action Plan to conduct Response Actions for contaminated surface soils. The Consent Order prescribed that NL would conduct a phased investigation. The first phase involved soil sampling in the nearest prominent down wind residential area defined as Zone I and included sampling along nearby highways and in public property areas. If soil lead levels were greater than 750 parts per million (ppm) for any residence on the outer (east) edge of Zone I, NL would be required to conduct Phase 2 of the soil sampling in Zone II. In addition, NL would be required to conduct a Feasibility Study to examine cleanup options if the Zone I and/or Zone II soils were equal to or greater than 750 ppm and clearly attributable to the secondary lead smelter. NL completed the Phase I off-site soils investigation in 1987. Based on the Zone I sampling results, NL recommended to MPCA and to U. S. EPA that no additional/sampling or cleanup activities was necessary for the off-site soils.

Before accepting NL's recommendation, U. S. EPA developed its own risk assessment for the off-site soils in Zone I. U.S. EPA conducted its own risk assessment (called an Endangerment Assessment), because a risk assessment methodology for estimating public health impacts of

contamination was developed after the NL Consent Order was signed, and therefore, the most recent methodology was not employed by NL. U. S. EPA conducted the NL off-site Soil Endangerment Assessment in accordance with the Superfund Public Health Evaluation Manual, October 1986. The Endangerment Assessment concluded that because the levels did not exceed the 500–1000 ppm soil lead guideline the Zone I soil lead levels did not present an imminent public health threat.

On September 23, 1988, a Record Of Decision (ROD) was signed. The selected remedy for this site is no further action.

A five-year review pursuant to OSWER Directive 9355.7-02 ("Structure and Components of Five-Year Reviews") was completed for the Site on September 30, 1994. The site was inspected by the State on September 7, 1994. The following observations were made: (1) The asphalt cap is in place and remains in sufficiently good condition to prevent public exposure to contaminated soils at the Site; (2) The cap appears to be effective in minimizing infiltration of precipitation in the vicinity of the Site and monitoring demonstrates that it is protective of ground water quality; (3) The remedy as installed remains protective of public health and the environment. The next Five-Year review is scheduled for September 30, 1999.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the National Lead Industries/Taracorp/Golden Auto Parts Site have been completed, and no further CERCLA response actions are appropriate in order to provide protection of human health and environment. Therefore, EPA proposes to delete the Site from the NPL.

Dated: March 24, 1998.

**David A. Ullrich,**

*Acting Regional Administrator, Region V.*  
[FR Doc. 98-8787 Filed 4-2-98; 8:45 am]

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