Remedial Investigation and Feasibility Study (RI/FS) at the site. The final RI report was published in April 1989. The FS report was completed in January 1990.

The RI documented contamination in soil, surface water, sediments, and groundwater by various organic compounds. Primary contaminants of concern included polynuclear aromatic hydrocarbons (PNAs), pentachlorophenol (PCP), and various volatile organic compounds (VOC). Soil contamination was limited to the material in the vault and various ''hot spots'' which were better characterized during the Additional Investigation in 1992. Although trace amounts of organics were detected in three monitor wells, contaminants were not detected above drinking water standards. However, the perched groundwater contained VOCs above drinking water standards, including trichloroethene (TCE) and 1,1-dichloroethene (DCE).

After reviewing the results of the RI/FS, EPA issued a Record of Decision on March 29, 1990. On June 17, 1991, A Consent Decree (CD) negotiated between EPA and DOPCSC for the performance of the Remedial Design Remedial Action (RD/RA). The CD was entered by the Northern District Court of Florida, Pensacola Division. In accordance with the ROD, an additional investigation was also completed in 1992 as part of the RD to confirm the extent of hot spots of contaminated soils outside the vault. The remedy implemented in accordance with the ROD included the:

—Installation of temporary construction facilities, stormwater management controls, and a wastewater treatment plant.
—Excavation and stockpiling of contaminated soil from the Silo Hot Spot.
—Erection of the biotreatment facility.
—Excavation of 38,854 tons of non-contaminated soil from the vault, confirmatory sampling, and placement in the ravine.
—Excavation and bioremediation of 19,705 tons of contaminated vault and hot spot soils, confirmatory sampling, and disposal in the ravine. Two additional hot spots were discovered in the sediment of the leachate pond and the northern berm of the vault. This material was also excavated and treated.
—Draining and backfilling three onsite ponds.
—Final grading of the ravine, former vault, and former pond areas, and seeding of the entire site.
—Construction of surface water runoff controls to accommodate seasonal precipitation, including inlets, terraces, culverts, and retention basins.

After draining and backfilling the leachate pond, a contaminated spring was discovered. To address this contamination and ensure the protectiveness of the remedy, a riprap swale was constructed to provide passive aeration of the contaminated water. In addition, the spring and portions of the swale were fenced to prevent human and animal contact with the spring discharge. The pre-final inspection was conducted at the site on May 31, 1995, with representatives present from EPA, FDEP, and DOPCSC. The punch list produced at this inspection indicated that all components of the remedy had been constructed in accordance with the ROD and the remedial design. The Site completion document was approved by EPA on September 25, 1995 with the completion of the soil treatment (achievement of soil cleanup goals). Long term groundwater and surface water monitoring was implemented in October 1995 with continued quarterly monitoring.

As stated in the September 24, 1998, Five Year Review document, the contamination in groundwater and surface water would naturally attenuate to health protective levels over time. As of June 2003, during the collection of additional groundwater and surface water sampling, the surface water compliance point sample and the North Pond discharge compliance point sample were non-detect for all target compounds. The maintenance inspection performed on June 6, 2003, verified that all of the berms were performing adequately and the drainage features were free of debris and functioning as intended.

EPA, with concurrence of FDEP, has determined that all appropriate actions at the Dubose Oil Producing Company Site have been completed, and no further remedial action is necessary. Therefore, EPA is proposing deletion of the Site from the NPL.

Dated: May 26, 2004.

J.I. Palmer, Jr.,

Regional Administrator, U.S. EPA Region 4.

[FR Doc. 04–17659 Filed 8–3–04; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 171, 172, 173, 175, and 178

[Docket No. RSPA–04–17664 (HM–224B)]

RIN 2137–AD33

Hazardous Materials: Transportation of Compressed Oxygen, Other Oxidizing Gases and Chemical Oxygen Generators on Aircraft

AGENCY: Research and Special Programs Administration (RSPA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM); extension of comment period.

SUMMARY: RSPA is extending until December 13, 2004, the period for interested persons to submit comments on the May 6, 2004 notice of proposed rulemaking in response to a request by the Air Transport Association (ATA). In the May 6, 2004 NPRM, we proposed to amend the Hazardous Materials Regulations (HMR) to require that cylinders of compressed oxygen and packages of chemical oxygen generators be placed in an outer packaging that meets certain flame penetration and thermal resistance requirements when transported aboard an aircraft. This proposal was developed based on recommendations from the Federal Aviation Administration (FAA). RSPA is also proposing to: Raise the pressure relief device setting limit on cylinders of compressed oxygen transported aboard aircraft; limit the types of cylinders authorized to transport compressed oxygen aboard aircraft; prohibit the transportation of all oxidizing gases, other than compressed oxygen, aboard cargo and passenger aircraft; and convert most of the provisions of an oxygen generator approval into the HMR. These proposals would increase the level of safety associated with transportation of these materials aboard aircraft.

DATES: Submit comments by December 13, 2004. To the extent possible, we will consider comments received after this date.

ADDRESSES: You may submit comments by any of the following methods:

- Web site: *http://dms.dot.gov*. Follow the instructions for submitting comments on the DOT electronic docket site.
- Fax: 1–202–493–2251.
- Web site: *http://regulations.gov*. Follow instructions for submitting comments.

• Mail: Docket Management System; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–402, Washington, DC 20590–001.

• Hand Delivery: To the Docket Management System; Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name and docket number RSPA–04–17664 (HM–224B) or the Regulatory Identification Number (RIN 2137–AD33) for this notice at the beginning of your comment. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation section of this document. Note that all comments received will be posted without change to *http://dms.dot.gov* including any personal information provided. Please see the Privacy Act section of this document.

FOR FURTHER INFORMATION CONTACT: John A. Gale, Office of Hazardous Materials Standards, telephone (202) 366–8553, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590–0001 or David Catey, Office of Flight Standards, (202) 267–3732, Federal Aviation Administration, U.S. Department of Transportation, 800 Independence Avenue, SW., Washington, DC 20591.

SUPPLEMENTARY INFORMATION:

I. Background

On May 6, 2004, RSPA published a notice of proposed rulemaking (69 FR 25470) to amend the Hazardous Materials Regulations to require that cylinders of compressed oxygen and packages of chemical oxygen generators be placed in an outer packaging that meets certain flame penetration and thermal resistance requirements when transported aboard an aircraft. This proposal was developed based on recommendations from the Federal Aviation Administration (FAA). RSPA is also proposing to: Raise the pressure relief device setting limit on cylinders of compressed oxygen transported aboard aircraft; limit the types of cylinders authorized to transport compressed oxygen aboard aircraft; prohibit the transportation of all oxidizing gases, other than compressed oxygen, aboard cargo and passenger aircraft; and convert most of the provisions of an oxygen generator approval into the HMR (49 CFR parts 171–180). These proposals would increase the level of safety associated with transportation of these materials aboard aircraft. In the NPRM, RSPA requested comments on 15 specific questions pertaining to the proposed amendments in order to gather feedback from affected members of the regulated community.

The HMR govern the transportation of hazardous materials in commerce in all modes of transportation, including aircraft (49 CFR 171.1(a)(1)). Parts 172 and 173 of the HMR include requirements for classification and packaging of hazardous materials, hazard communication, and training of employees who perform functions subject to the requirements of the HMR. Part 175 contains requirements applicable to aircraft operators transporting hazardous materials aboard an aircraft, and authorizes passengers and crew members to carry hazardous materials on board an aircraft under certain conditions. Part 178 contains additional requirements applicable to the specifications for packagings in all modes.

On June 22, 2004, ATA requested an extension of the comment period (closing August 13, 2004) until December 13, 2004. ATA stated that its member air carriers need additional time to prepare and develop comments to RSPA's particular questions. ATA stated that its members have determined the need to consult other sources before preparing comments, including maintenance and engineering advice. ATA stated that carriers have little reliable information about the availability or cost of aspects of the NPRM and will need to research the market to obtain this information. ATA stated its members need additional time to collect information germane to their responses and to provide inclusive industry comments on the impact of the NPRM on safety and carrier operations. RSPA agrees that extending the comment period on this rulemaking is in the public interest because it will assure a more thorough consideration of the issues by the affected parties. Therefore we are extending the comment period to December 13, 2004.

Issued in Washington, DC on July 29, 2004, under the authority delegated in 49 CFR part 106.

Robert A. McGuire,

Associate Administrator for Hazardous Materials Safety.

[FR Doc. 04–17747 Filed 8–3–04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–2004–17980; Notice 2]

RIN 2127–AI38

Federal Motor Vehicle Safety Standards; Seat Belt Assemblies

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Extension of comment period.

SUMMARY: NHTSA received a letter asking us to extend the comment period for the Notice of Proposed Rulemaking (NPRM) to amend the Federal motor vehicle safety standard (FMVSS) for seat belt assemblies. The NPRM proposed to redefine the requirements and establish a new test methodology for emergency-locking retractors. If adopted, the amendments would establish a new acceleration corridor, add a figure illustrating the acceleration corridor, provide tolerance on angle measurements, and employ the same instrumentation specifications currently found in other FMVSSs containing crash tests. To provide interested persons additional time to prepare comments, we are extending the end of the comment period from August 2, 2004, to October 1, 2004. This 60-day extension will allow seat belt manufacturers the opportunity to conduct additional testing in support of the NPRM and provide more meaningful comments.

DATES: Comments must be received by October 1, 2004.

ADDRESSES: You may submit comments (identified by the docket number set forth above) by any of the following methods:

• Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the instructions for submitting comments.

• Web Site: *http://dms.dot.gov*. Follow the instructions for submitting comments on the DOT electronic docket site. Please note, if you are submitting petitions electronically as a PDF (Adobe) file, we ask that the documents submitted be scanned using Optical Character Recognition (OCR) process, thus allowing the agency to search and copy certain portions of your submissions.[1]

[1] Optical character recognition (OCR) is the process of converting an image of text, such as a scanned paper document or electronic fax file, into computer-editable text.