

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.1247 is revised to read as follows:

**§ 180.1247 *Bacillus thuringiensis* VIP3A protein and the genetic material necessary for its production in cotton is exempt from the requirement of a tolerance.**

*Bacillus thuringiensis* VIP3A protein and the genetic material necessary for its production in cotton is exempt from the requirement of a tolerance when used as a vegetative-insecticidal protein in the food and feed commodities, cotton seed, cotton oil, cotton meal, cotton hay, cotton hulls, cotton forage, and cotton gin byproducts. Genetic material necessary for its production means the genetic material which comprise genetic encoding the VIP3A protein and its regulatory regions. Regulatory regions are the genetic material, such as promoters, terminators, and enhancers, that control expression of the genetic material encoding the VIP3A protein. This time-limited exemption from the requirement of a tolerance expires May 1, 2006.

[FR Doc. 05–8530 Filed 4–27–05; 8:45 am]

BILLING CODE 6560–50–S

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[FRL–7905–2]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Deletion of the Syosset Landfill Superfund Site from the National Priorities List.

**SUMMARY:** The Environmental Protection Agency (EPA) Region 2 Office announces the deletion of the Syosset Landfill Superfund Site, in the Town of Oyster Bay, Nassau County, New York from the National Priorities List (NPL). The NPL is appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, 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 New York, through the Department of Environmental Conservation (NYSDEC), have determined that responsible parties or other persons have implemented all appropriate response actions required. In addition, EPA and the NYSDEC have

determined that the remedial measures taken at the Syosset Landfill Site protect public health, welfare, and the environment.

**EFFECTIVE DATE:** April 28, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Sherrel D. Henry, Remedial Project Manager, U.S. Environmental Protection Agency, Region 2, 290 Broadway, 20th Floor, New York, New York 10007–1866, (212) 637–4273.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Syosset Landfill Superfund Site, Town of Oyster Bay, Nassau County, New York.

A Notice of Intent to Delete for this site was published in the **Federal Register** on February 15, 2005 (70 FR 7708). The closing date for comments on the Notice of Intent to Delete was March 17, 2005. No comments were received.

The EPA maintains the NPL as the list of those sites that appear to present a significant risk to public health or the environment. Sites on the NPL can have remedial actions financed by the Hazardous Substances Response Fund. As described in § 300.425(e)(3) of the NCP, any site or portion thereof deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action in the future. 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 controls, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: April 19, 2005.

**George Pavlou,**

*Acting Regional Administrator, Region 2.*

■ For the reasons set out in the preamble, 40 CFR part 300, 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 removing the entry “Syosset Landfill” found in the list of

sites in NY State along with the city/county name “Oyster Bay.”

[FR Doc. 05–8527 Filed 4–27–05; 8:45 am]

BILLING CODE 6560–50–P

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

RIN 1018–AU10

**Endangered and Threatened Wildlife and Plants; Amendment of Lower St. Johns River Manatee Refuge in Florida**

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

**ACTION:** Final rule.

**SUMMARY:** The Fish and Wildlife Service is amending a portion of the Lower St. Johns River Manatee Refuge area in Duval County, Florida, to provide for both improved public safety and increased manatee protection through improved marking and enforcement of the manatee protection area. Specifically, that portion of this manatee protection area which lies downstream of the Hart Bridge to Reddie Point will be modified to allow watercraft to travel up to 25 miles per hour (mph) in a broader portion of the St. Johns River to include areas adjacent to but outside of the navigation channel. Watercraft traveling near the banks of the river will be required to travel at slow speed much as they do now. The primary exception will be around Exchange Island where the coverage of the existing State and local slow-speed zones will be expanded. However, in the main portion of the river, watercraft will be allowed to travel at speeds up to 25 mph. The manatee protection area will also be expanded approximately one mile further downstream, to the extent it was originally proposed (68 FR 16602; April 4, 2003), in order to be consistent with existing State and local governmental manatee protection measures and thereby facilitate compliance. This modification is supported by State and local government and parties to the March 18, 2003, Stipulated Order which resulted in the initial rulemaking for this manatee protection area.

The current configuration of the manatee protection area is not supported by the State of Florida or Duval County. While the Service is committed to enforcing these current protection measures, State and local government would normally provide a substantial portion of the enforcement