

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement; or

(3) For each stationary combustion turbine burning at least 50 percent biogas on a calendar month basis, as determined based on total heat input, you must not cause to be discharged into the atmosphere from the affected source any gases that contain SO₂ in excess of 65 ng SO₂/J (0.15 lb SO₂/MMBtu) heat input.

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■ 3. Section 60.4420 is amended by adding the definition of “Biogas” in alphabetical order to read as follows:

§ 60.4420 What definitions apply to this subpart?

* * * * *

Biogas means gas produced by the anaerobic digestion or fermentation of organic matter including manure, sewage sludge, municipal solid waste, biodegradable waste, or any other biodegradable feedstock, under anaerobic conditions. Biogas is comprised primarily of methane and CO₂.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-1987-0002; FRL-8784-3]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of Partial Deletion of the Griffiss Air Force Base Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region 2 announces the deletion of approximately 2,900 acres of property (identified in more detail below) of the Griffiss Air Force Base Superfund Site (Site) located in Rome, New York, from the National Priorities List (NPL). The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), is an appendix of the National Oil and Hazardous Substances Pollution

Contingency Plan (NCP). This partial deletion pertains to the soil and groundwater of 23 parcels at the Site. All other properties at Griffiss Air Force Base (GAFB) will remain on the NPL and are not being considered for deletion as part of this action. The EPA and the State of New York, through the New York State Department of Environmental Conservation, have determined that, with regard to the specified properties at the GAFB Site (i.e., the soil and groundwater beneath), either no significant threat to public health or the environment exists or all appropriate response actions, other than operation, maintenance, and five-year reviews, have been implemented such that they no longer pose a significant threat to public health or the environment.

DATES: *Effective Date:* This action is effective March 20, 2009.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-HQ-SFUND-1987-0002. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, i.e., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the site information repositories. Locations, contacts, phone numbers and viewing hours are:

U.S. Environmental Protection Agency, Region 2, Superfund Records Center, 290 Broadway, 18th Floor, New York, NY 10007-1866, Phone: (212) 637-4308, Hours: Monday to Friday from 9 a.m. to 5 p.m., and

Griffiss Business and Technology Park, Information Repository/ Administrative File, 153 Brooks Road, Rome, NY 13441, (315) 356-0810, Hours: Please call to determine hours of operation and whether an appointment is needed.

FOR FURTHER INFORMATION CONTACT:

Douglas M. Pocze, Remedial Project Manager, U.S. Environmental Protection Agency, Region 2, Emergency and Remedial Response Division, 290 Broadway, New York, NY, 10007-1866, (212) 637-4432, e-mail: pocze.doug@epa.gov.

SUPPLEMENTARY INFORMATION: The properties to be deleted from the NPL (23 parcels) are listed below:

	Acres
1. Property A1A—Airfield	1324.45
2. Building 750—Former Air Force Special Investigations	4.07
3. Central Heating Plant	17.78
4. Parcel F1	61.40
5. Parcel F2	88.37
6. Electrical Power Substation	3.20
7. Parcel F3A	75.99
8. Parcel F3B	14.04
9. Parcel F4A	107.59
10. Parcel F4C	56.96
11. Parcel F6A	52.20
12. Parcel F7NR	52.09
13. Parcel F7R	223.75
14. Parcel F8 Housing	69.22
15. Parcel F9A	135.25
16. Parcel F9B	64.99
17. Parcel F10A	11.05
18. Parcel F10B	275.82
19. Parcel F11A Housing	152.56
20. Parcel F11C	4.24
21. Parcel F11D	45.23
22. Parcel F12A	41.82
23. MGC—Mohawk Glen Club	15.13

These properties were identified in the Notice of Intent for Partial Deletion for this Site published in the **Federal Register** on December 19, 2008. Additional information can also be found on the Air Force’s Web site at <http://www.griffiss.com>. In the Notice of Intent for Partial Deletion, EPA requested public comment on the proposed NPL partial deletion by January 20, 2009. No public comments were received and therefore EPA has no information which leads it to believe that the partial deletion action is inappropriate.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion of a site from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of portions of a site from the NPL does not affect responsible party liability, in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

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

Dated: February 19, 2009.

George Pavlou,

Acting Regional Administrator, Region 2.

■ For 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: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; 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 revising the entry under “Griffiss Air Force Base”, “New York” to read as follows:

Appendix B to Part 300—National Priorities List

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TABLE 2—FEDERAL FACILITIES SECTION

State	Site name	City/county	Notes (a)
NY	Griffiss Air Force Base	Rome	P

(a) P = Sites with partial deletion(s).

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 745

[EPA–HQ–OPPT–2008–0382; FRL–8404–2]

RIN 2070–AJ40

Lead; Fees for Accreditation of Training Programs and Certification of Lead-based Paint Activities and Renovation Contractors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is issuing this final rule to revise the existing fees for EPA’s Lead-based Paint Activities Regulations and establish fees for the Renovation, Repair, and Painting Rule. As specified in section 402 of the Toxic Substances Control Act (TSCA), EPA must establish and implement a fee schedule to recover for the U.S. Treasury the Agency’s costs of administering and enforcing the standards and requirements applicable to lead-based paint training programs and contractors. Specifically, this final rule establishes the fees that will be charged, in those States and Indian Tribes without authorized programs, for training programs seeking accreditation under 40 CFR 745.225, for firms engaged in renovations seeking certification under 40 CFR 745.89, and for individuals or firms engaged in lead-based paint activities seeking certification under 40 CFR 745.226.

DATES: This final rule is effective April 20, 2009.

ADDRESSES: EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPPT–2008–0382. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPPT Docket. The OPPT Docket is located in the EPA Docket Center (EPA/DC) at Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC. The EPA/DC Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number of the EPA/DC Public Reading Room is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Docket visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor bags are processed through an X-ray machine and subject to search. Visitors will be provided an EPA/DC badge that must be visible at all times in the building and returned upon departure.

FOR FURTHER INFORMATION CONTACT: For general information contact: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone

number: (202) 554–1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Marc Edmonds, National Program Chemicals Division (7404T), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 566–0758; e-mail address: edmonds.marc@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be potentially affected by this action if you operate a training program required to be accredited under 40 CFR 745.225, if you are a firm who must be certified to conduct renovation activities in accordance with 40 CFR 745.89, or if you are a professional (individual or firm) who must be certified to conduct lead-based paint activities in accordance with 40 CFR 745.226.

This final rule applies only in States, Territories, and Indian Tribes that do not have authorized programs pursuant to 40 CFR 745.324. For further information regarding the authorization status of States, Territories, and Indian Tribes, contact the National Lead Information Center (NLIC) at 1–800–424–LEAD. Potentially affected categories and entities may include, but are not limited to:

- Building construction (NAICS code 236), e.g., single family housing construction, multi-family housing construction, residential remodelers.
- Specialty trade contractors (NAICS code 238), e.g., plumbing, heating, and air-conditioning contractors; painting and wall covering contractors; electrical contractors; finish carpentry contractors; drywall and insulation contractors; siding contractors; tile and terrazzo