

Dated: July 26, 2013.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2013-19874 Filed 8-15-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 300

[EPA-HQ-SFUND-1986-0005; FRL-9846-3]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Torch Lake Superfund Site

**AGENCY:** U.S. Environmental Protection Agency.

**ACTION:** Proposed rule; notice of intent.

**SUMMARY:** The U.S. Environmental Protection Agency Region 5 is issuing a Notice of Intent to Delete the Quincy Smelter and Calumet Lake parcels of OU3 of the Torch Lake Superfund Site (Site), located in Houghton County, Michigan, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA with the concurrence of the State of Michigan, through the Michigan Department of Environmental Quality (MDEQ), has determined that all appropriate response actions under CERCLA, other than operation, maintenance, and five year reviews, at these identified parcels have been completed. However, this deletion does not preclude future actions under Superfund.

This partial deletion pertains to the surface tailings and slag deposits of the Quincy Smelter and Calumet Lake parcels of OU3. The following parcels or areas will remain on the NPL and are not being considered for deletion as part of this action: Dollar Bay, Point Mills, Boston Pond, and North Entry.

**DATES:** Comments must be received by September 16, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID no. EPA-HQ-SFUND-1986-0005, by one of the following methods:

- <http://www.regulations.gov>: Follow online instructions for submitting comments.
- *Email:* Nefertiti DiCosmo, Remedial Project Manager, at

<mailto:dicosmo.nefertiti@epa.gov> or Dave Novak, Community Involvement Coordinator, at [novak.dave@epa.gov](mailto:novak.dave@epa.gov).

• *Fax:* Gladys Beard at (312) 697-2077.

• *Mail:* Nefertiti DiCosmo, Remedial Project Manager, U.S. Environmental Protection Agency (SR-6J), 77 West Jackson Boulevard, Chicago, IL 60604, (312) 886-6148 or Dave Novak, Community Involvement Coordinator, U.S. Environmental Protection Agency (SI-7J), 77 West Jackson Boulevard, Chicago, IL 60604, (312) 886-7478 or toll free at 1 (800) 621-8431.

• *Hand delivery:* Dave Novak, Community Involvement Coordinator, U.S. Environmental Protection Agency (SI-7J), 77 West Jackson Boulevard, Chicago, IL 60604. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. The normal business hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. CST, excluding federal holidays.

*Instructions:* Direct your comments to Docket ID no. EPA-HQ-SFUND-1986-0005. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in the hard copy. Publicly available docket materials are available either electronically at <http://www.regulations.gov> or in hard copy at:

- U.S. Environmental Protection Agency Region 5, 77 West Jackson Boulevard, Chicago, IL 60604, Phone: (312) 353-1063, Hours: Monday through Friday, 8:30 a.m. to 4:30 p.m. CST, excluding federal holidays.
- Lake Linden/Hubbell Public Library, 601 Calumet Street, Lake Linden, MI 49945, Phone: (906) 296-6211, Summer Hours: Tuesday and Thursday, 6:00 p.m. to 8:00 p.m. EST; Wednesday, 9:00 a.m. to 2:00 p.m. EST, Winter Hours: Monday through Friday, 8:00 a.m. to 3:30 p.m. EST (when school is in session); Tuesday and Thursday, 3:30 p.m. to 8:30 p.m. EST
- Portage Lake District Library, 58 Huron Street, Houghton, MI 49931, Phone: (906) 482-4570, Hours: Monday through Thursday, 10:00 a.m. to 8:00 p.m. EST; Friday, 10:00 a.m. to 5:00 p.m. EST; and Saturday, 10:00 a.m. to 3:00 p.m. EST

#### FOR FURTHER INFORMATION CONTACT:

Nefertiti DiCosmo, Remedial Project Manager, U.S. Environmental Protection Agency (SR-6J), 77 West Jackson Boulevard, Chicago, IL 60604, (312) 886-6148, [dicosmo.nefertiti@epa.gov](mailto:dicosmo.nefertiti@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the "Rules and Regulations" section of today's **Federal Register**, we are publishing a direct final Notice of Partial Deletion for the Quincy Smelter and Calumet Lake parcels of OU3 of the Torch Lake Superfund Site without prior Notice of Intent for Partial Deletion because EPA views this as a noncontroversial revision and anticipates no adverse comment. We have explained our reasons for this deletion in the preamble to the direct final Notice for Partial Deletion, and those reasons are incorporated herein. If we receive no adverse comment(s) on this partial deletion action, we will not take further action on this Notice of Intent for Partial Deletion. If we receive adverse comment(s), we will withdraw the direct final Notice for Partial Deletion, and it will not take effect. We will, as appropriate, address all public comments in a subsequent final Notice of Partial Deletion based on this Notice

of Intent for Partial Deletion. We will not institute a second comment period on this Notice of Intent for Partial Deletion. Any parties interested in commenting must do so at this time.

For additional information, see the direct final Notice of Partial Deletion which is located in the "Rules and Regulations" section of this **Federal Register**.

#### 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.

**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.

Dated: July 25, 2013.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2013–19758 Filed 8–15–13; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 102–117

[FMR Case 2013–102–1; Docket 2013–0009, Sequence 1]

RIN 3090–AJ35

### Federal Management Regulation (FMR); Obligating Authority

**AGENCY:** Office of Governmentwide Policy (OGP), General Services Administration (GSA).

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. General Services Administration (GSA) is proposing to amend the Federal Management Regulation (FMR) to recommend that agencies, as defined in § 102–117.25, provide written authority to Transportation Officers who acquire transportation services utilizing a rate tender acquisition. This written authority would help agencies manage the billions of dollars that the Government spends annually on transportation. This proposed rule, if adopted, would describe procedures that agencies should follow to delegate authority to Transportation Officers and includes experience and training requirements that a Transportation Officer should meet before being authorized to acquire transportation services.

**DATES:** Interested parties should submit comments in writing on or before October 15, 2013 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments in response to FMR Case 2013–102–1 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "FMR Case 2013–102–1" and selecting the link "Submit a Comment" that corresponds with "FMR Case 2013–102–1". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "FMR Case 2013–102–1" on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1800 F Street NW., ATTN: Hada Flowers, Washington, DC 20405–0001.

*Instructions:* Please submit comments only and cite FMR Case 2013–102–1, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Ms. Lee Gregory, Office of Asset and Transportation Management (MA), Office of Governmentwide Policy (OGP), at 202–501–1533 or by email at [lee.gregory@gsa.gov](mailto:lee.gregory@gsa.gov). Please cite FMR Case 2013–102–1. For information pertaining to status or publication schedules contact the Regulatory Secretariat at 202–501–4755.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Agencies are authorized to procure transportation services either through the Federal Acquisition Regulation (FAR), by utilizing a contract, or via 49 U.S.C. 10721 (for rail transportation), 49 U.S.C. 13712 (for surface transportation), or 49 U.S.C. 15504 (for pipeline transportation) utilizing rate tenders.

Rate tenders are an alternative method of acquiring transportation services that is neither mandatory nor exclusive. In order to determine which method is better suited for the acquisition of transportation services, an evaluation of the transportation services to be acquired must be made. The FMR discusses the criteria for choosing between rate tender and FAR acquisitions in FMR sections 102–117.30 through 102–117.55.

The FAR requires that a Contracting Officer (CO) receive clear instructions in

writing regarding the contracting officer's authority (48 CFR 1.603–3). Contracts may be entered into and signed on behalf of the Government only by a contracting officer. In contrast there is no analogous regulation for Federal Transportation Officers under which an appointing official authorizes them to acquire transportation services. However, some agencies have delegations of authority or other agency procedures in place for their workforce.

A Transportation Officer that acquires transportation services through a rate tender acquisition should be qualified and trained in transportation management or have relevant transportation experience in order to manage a rate tender acquisition properly.

GSA published a proposed rule in the **Federal Register** on May 4, 2005 (70 FR 23078) to add the recommendation that transportation managers who obligate Government funds for rate tender procurements must be properly authorized in writing, which certifies that the transportation manager is competent and trained in transportation management and has the authority to commit Government funds for the procurement of transportation or transportation services. Comments were received from four agencies (U.S. Department of State, Internal Revenue Service, U.S. Department of Agriculture, and Federal Aviation Administration). Applicable comments were incorporated into this current proposed rule, such as expanding time to phase program implementation, identifying activities that would not require a warrant, and providing flexibility for the program and requirements to the agency. Due to the length of time since the publication of the 2005 proposed rule, and because GSA's position on this issue has evolved, GSA is publishing this new proposed rule.

Section 3(a)(1) of the Travel and Transportation Reform Act of 1998 (the Act), Public Law 105–264, amended 31 U.S.C. 3322(c)(1), holding disbursing officials personally liable for overpayments other than an overpayment for the use of improper transportation rates or classifications if the Administrator of General Services has determined that verification by a prepayment audit will not adequately protect the interests of the Government. Similarly, section 3(a)(2) of the Act amended 31 U.S.C. 3528(a)(5), requiring certifying officials to verify transportation rates and classifications and holding such officials personally liable for overpayments unless the overpayment occurred solely because a prepayment audit did not verify the rate