

public procedure thereon are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(B).

There is good cause here for waiving rulemaking under the APA. Notice and comment to amend current § 668.71 and to remove § 668.75 are unnecessary because we are merely amending these sections consistent with the D.C. Circuit's decision in *Association of Private Sector Colleges and Universities v. Duncan*.

For the same reasons, the Secretary has decided to waive the 30-day delay in the effective date of these regulatory changes under 5 U.S.C. 553(d)(3) and determined, under section 492(b)(2) of the HEA, 20 U.S.C. 1098a(b)(2), that these regulations should not be subject to negotiated rulemaking.

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(Catalog of Federal Domestic Assistance Numbers: 84.268, Federal Direct Student Loans)

#### List of Subjects in 34 CFR Part 668

Administrative practice and procedure, Aliens, Colleges and universities, Consumer protection, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Selective Service System, Student aid, Vocational education.

Dated: September 17, 2013.

**Arne Duncan**,  
Secretary of Education.

For the reasons discussed in the preamble, the Secretary amends part 668 of title 34 of the Code of Federal Regulations as follows:

#### PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS

■ 1. The authority citation for part 668 continues to read as follows:

**Authority:** 20 U.S.C. 1001, 1002, 1003, 1070g, 1085, 1088, 1091, 1092, 1094, 1099c, and 1099c-1, unless otherwise noted.

#### § 668.71 [Amended]

■ 2. Section 668.71 is amended by:

■ A. In paragraphs (a)(1) and (a)(2), adding the words “, if the institution is provisionally certified under § 668.13(c)” immediately before the semi-colon.

■ B. In the second sentence of paragraph (b), removing the words “regarding the eligible institution, including”.

■ C. In paragraph (c), in the second sentence of the definition of “misrepresentation”, removing the words “or confuse”.

#### § 668.75 [Removed]

■ 3. Section 668.75 is removed.

[FR Doc. 2013-22935 Filed 9-19-13; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 300

[EPA-HQ-SFUND-1990-0010; FRL-9901-15-Region 9]

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

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

**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** On July 24, 2013, EPA published a Notice of Intent to Delete and a direct final Notice of Deletion for the Sola Optical U.S.A., Inc. Superfund Site from the National Priorities List. The EPA is withdrawing the Final Notice of Deletion due to adverse comments that were received during the public comment period. After consideration of the comments received, if appropriate, EPA will publish a Notice of Deletion in the **Federal Register** based on the parallel Notice of Intent to Delete and place a copy of the final deletion package, including a Responsiveness Summary, if prepared, in the Site repositories.

**DATES:** This withdrawal of the direct final action published July 24, 2013 (78 FR 44455), is effective as of September 20, 2013.

**ADDRESSES:** *Information Repositories:* Comprehensive information on the Site,

as well as the comments that we received during the comment period, are available in docket [EPA-HQ-SFUND-1990-0010], accessed through the <http://www.regulations.gov> Web site. Although listed in the docket 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 hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at:

Superfund Records Center, 95 Hawthorne St., Room 403, Mail Stop SFD-7C, San Francisco, CA 94105, (415) 536-2000, Mon-Fri: 8:00 a.m. to 5:00 p.m.

Petaluma Public Library, 100 Fairgrounds Drive, Petaluma CA 94952, (707) 763-9801, Mon, Thurs, Fri, Sat: 10:00 a.m. to 6:00 p.m., Tues, Wed: 10:00 a.m. to 9:00 p.m.

#### FOR FURTHER INFORMATION CONTACT:

Dante Rodriguez, Remedial Project Manager, U.S. Environmental Protection Agency, Region 9, SFD-8-2, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972-3166, email: [rodriguez.dante@epa.gov](mailto:rodriguez.dante@epa.gov).

#### 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: September 12, 2013.

**Jared Blumenfeld**,  
Regional Administrator, Region 9.

Accordingly, the amendment to Table 1 of Appendix B to CFR Part 300 to remove the entry “Sola Optical U.S.A., Inc.”, “Petaluma, California” is withdrawn as of September 20, 2013.

[FR Doc. 2013-22851 Filed 9-19-13; 8:45 am]

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