

TABLE 1 TO PARAGRAPH (h)(4)—Continued

No.	Enforcement period(s)	Location	Safety zone—regulated area
3	July 1st Saturday, July 4th ...	Green Creek and Smith Creek, Oriental, NC, Safety Zone.	The waters of Green Creek and Smith Creek that fall within a 300-yard radius of the fireworks launch site at approximate latitude 35°01'29.6" N, longitude 076°42'10.4" W, located near the entrance to the Neuse River in the vicinity of Oriental, NC.
4	May—3rd or 4th Saturday: July 4th.	Pasquotank River, Elizabeth City, NC, Safety Zone.	The waters of the Pasquotank River within a 300-yard radius of the fireworks launch barge in approximate position latitude 36°17'47" N, longitude 076°12'17" W.
5	July 4th or 5th	Currituck Sound, Corolla, NC, Safety Zone.	The waters of the Currituck Sound within a 300-yard radius of the fireworks launch site in approximate position latitude 36°22'23.8" N, longitude 075°49'56.3" W, located near Whale Head Bay.
6	July 4th, November—3rd Saturday.	Middle Sound, Figure Eight Island, NC, Safety Zone.	The waters of the Figure Eight Island Causeway Channel from latitude 34°16'32" N, longitude 077°45'32" W, thence east along the marsh to latitude 34°16'19" N, longitude 077°44'55" W, thence south to the causeway at latitude 34°16'16" N, longitude 077°44'58" W, thence west along the shoreline to latitude 34°16'29" N, longitude 077°45'34" W, thence back to the point of origin.
7	June—2nd Saturday, July 4th.	Pamlico River, Washington, NC, Safety Zone.	The waters of Pamlico River and Tar River within a 300-yard radius of the fireworks launch site at approximate position latitude 35°32'25" N, longitude 077°03'42" W, a position located on the southwest shore of the Pamlico River, Washington, NC.
8	July 4th	Neuse River, New Bern, NC, Safety Zone.	The waters of the Neuse River within a 360-yard radius of the fireworks barge in approximate position latitude 35°06'07.1" N, longitude 077°01'35.8" W.
9	July—1st Saturday or Sunday, July 4th.	Pamlico Sound, Ocracoke, NC, Safety Zone.	The waters of Pamlico Sound with a 300-yard radius of the National Park Service boat launch site at Ocracoke, NC at position latitude 35°07'07" N, longitude 075°59'16" W.
10	July 4th, November—Saturday following Thanksgiving Day.	Motts Channel, Banks Channel, Wrightsville Beach, NC, Safety Zone.	The waters of Motts Channel within a 500-yard radius of the fireworks launch site in approximate position latitude 34°12'29" N, longitude 077°48'27" W, approximately 560 yards south of Sea Path Marina, Wrightsville Beach, NC.
11	July 4th	Cape Fear River, Southport, NC, Safety Zone.	The waters of the Cape Fear River within a 600-yard radius of the fireworks barge in approximate position latitude 33°54'40" N, longitude 078°01'18" W, approximately 700 yards south of the waterfront at Southport, NC.
12	July 4th	Big Foot Slough, Ocracoke, NC, Safety Zone.	The waters of Big Foot Slough within a 300-yard radius of the fireworks launch site in approximate position latitude 35°06'54" N, longitude 075°59'24" W, approximately 100 yards west of the Silver Lake Entrance Channel at Ocracoke, NC.
13	August—1st Tuesday	New River, Jacksonville, NC, Safety Zone.	The waters of the New River within a 300-yard radius of the fireworks launch site in approximate position latitude 34°44'45" N, longitude 077°26'18" W, approximately one half mile south of the Hwy 17 Bridge, Jacksonville, NC.
14	May—3rd or 4th Saturday, July 4th.	Bath Creek, Bath, NC, Safety Zone.	The waters on Bath Creek within a 300-yard radius of approximate position 35°28'05" N, 076°48'56" W, Bath, NC.
15	July 4th, October—2nd Saturday.	Atlantic Intracoastal Waterway, Swansboro, NC, Safety Zone.	The waters of the Atlantic Intracoastal Waterway within a 300-yard radius of the fireworks launch position at approximate position latitude 34°41'02" N, longitude 077°07'04" W, located near Swansboro, NC.
16	September—4th or last Saturday.	Shallowbag Bay, Manteo, NC; Safety Zone.	The waters of Shallowbag Bay within a 300-yard radius of a fireworks barge anchored at latitude 35°54'31" N, longitude 075°39'42" W.
17	July—3rd or 4th	Atlantic Intracoastal Waterway, Surf City, NC, Safety Zone.	The waters of the Atlantic Intracoastal Waterway within a 300-yard radius of approximate position latitude 34°25'46" N, longitude 077°33'01" W, in Surf City, NC.
18	September—3rd, 4th, or last Friday or Saturday.	Neuse River, New Bern, NC, Safety Zone..	The waters within a 300-yard radius of the fireworks launch location at approximate position latitude 35°06'23" N, longitude 077°01'48" W, on the Neuse River, New Bern, NC.

Dated: April 22, 2021.

Laura M. Dickey

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-1993-0003, EPA-HQ-SFUND-2000-0004, EPA-HQ-SFUND-2000-0007; FRL-10022-95-OLEM]

National Priorities List for Uncontrolled Hazardous Waste Sites; Partial Withdrawal of Proposed Rules

AGENCY: Environmental Protection Agency.

ACTION: Proposed rules; partial withdrawal.

SUMMARY: The Environmental Protection Agency (EPA) is partially withdrawing

three previous proposed rules which proposed to add five sites to the Superfund National Priorities List (NPL). The NPL is the list of sites of national priority among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation.

DATES: The proposed rules to add these five sites to the NPL previously published at 58 FR 27507 (May 10, 1993), 65 FR 30489 (May 11, 2000) and 65 FR 75215 (December 1, 2000) are partially withdrawn effective April 30, 2021.

FOR FURTHER INFORMATION CONTACT: Terry Jeng, phone: (703) 603-8852, email: jeng.terry@epa.gov, Site Assessment and Remedy Decisions Branch, Assessment and Remediation Division, Office of Superfund Remediation and Technology

Innovation (Mailcode 5204P), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

SUPPLEMENTARY INFORMATION: EPA proposes sites be placed on the NPL via a proposed rulemaking published in the **Federal Register**. Following a public comment period, most sites are added to the NPL. However, there exists a small subset of sites that have been proposed to the NPL but never added. These sites remain proposed until a decision is made to either withdraw the proposal or add the site to the NPL.

By withdrawing proposals to list sites where listing is no longer appropriate, EPA can reduce the backlog of proposed sites and focus essential resources elsewhere. Once cleanup goals are attained or the determination is made that the site does not pose a significant threat to human health or the environment, it is not necessary to continue the listing process; thus,

preserving the NPL for the highest priority sites.

To facilitate the proposed rule withdrawal process, EPA issued its de-proposal policy, Guidelines for Withdrawing a Proposal to List a Site on the NPL on November 12, 2002. The policy states that in order to qualify for de-proposal, EPA should provide adequate rationale that the site generally either meets deletion-equivalent criteria and no further response under Superfund is appropriate or EPA should explain why such criteria are not applicable to the decision to withdraw the proposal. The Superfund Program Implementation Manual (SPIM) clarifies that de-proposal criteria includes documented deferral or referral of a

proposed site to another cleanup authority.

The deletion provisions (40 CFR 300.425(e)) state that releases may be deleted from the NPL where no further response is appropriate. Further, in determining whether a release should be deleted, EPA considers whether any of the following criteria has been met:

- Responsible or other parties have implemented all appropriate response actions required;
- All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or,
- The remedial investigation has shown that the release poses no significant threat to public health or the

environment, and, therefore, taking of remedial measures is not appropriate.

EPA is partially withdrawing three previously proposed rules which proposed adding the following five sites to the NPL. All five of the sites meet EPA's de-proposal criteria. Documentation to support EPA's decision to de-propose these sites can be found in each of the site dockets at <https://www.regulations.gov>.

Therefore, the proposal to add the five sites listed in the list that follows to the National Priorities List previously proposed at 58 FR 27507 (May 10, 1993), 65 FR 30489, (May 11, 2000) and 65 FR 75215, December 1, 2000) is hereby withdrawn effective April 30, 2021.

Site name and location	Date proposed for NPL addition/FR citation	Site-specific basis for de-proposal
Broad Brook Mill, East Windsor, CT.	12/01/2000 (65 FR 75215)	Significant progress has been and continues to be made and there is no current risk to human health at the site. The responsible party, Raytheon Technologies, will continue to address the site under the ongoing oversight of the Connecticut Department of Energy and Environmental Protection (CTDEEP) in accordance with state laws. Further documentation may be found in https://www.regulations.gov using Docket number EPA-HQ-SFUND-2000-0004.
Chanute Air Force Base, Rantoul, IL.	12/01/2000 (65 FR 75215)	The United States Air Force is performing, and will continue to perform, cleanup activities at the site pursuant to their authority under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) with oversight being conducted by the Illinois Environmental Protection Agency (IEPA). IEPA has been, and will continue to be, the lead agency responsible for overseeing the cleanup and will take or ensure appropriate action through a deferral, enforcement, or other agreement. Further documentation may be found in https://www.regulations.gov using Docket number EPA-HQ-SFUND-2000-0004.
Diamond Shamrock Corp. (Painesville Works), Painesville, OH.	05/10/1993 (58 FR 27507)	Operable Unit (OU) #16, the only portion of this site proposed for addition to the NPL, is only one of the 22 OUs that comprise the site. The remaining 21 OUs are being successfully addressed by the responsible parties with oversight by the Ohio Environmental Protection Agency (OEPA) as the lead for cleanup. The State of Ohio through OEPA has agreed to incorporate OU #16 as additional site work under their existing cleanup authority. Through a consent order, OEPA will pursue the monitoring and remedy continuation with the responsible party for the entirety of OU #16 to ensure a unified, site-wide remedy. Further documentation may be found in https://www.regulations.gov using Docket number EPA-HQ-SFUND-1993-0003.
Hudson Technologies, Inc., Hillburn, NY.	05/11/2000 (65 FR 30489)	The responsible party, Hudson Technologies, Inc. (HTI), signed an Order on Consent with the New York State Department of Environmental Conservation (NYSDEC) agreeing to operate the remediation system and perform monthly testing at the facility until remaining groundwater contamination has been effectively abated. The treatment system is preventing any off-site migration from occurring. HTI has implemented appropriate response actions and no further Superfund response is required other than continued operation and maintenance (O&M) of the treatment system. Further documentation may be found in https://www.regulations.gov using Docket number EPA-HQ-SFUND-2000-0007.
Potter Co., Wesson, MS	05/10/1993 (58 FR 27507)	The Mississippi Department of Environmental Quality (MDEQ) has, and will continue to, ensure all appropriate investigations and cleanup actions are performed pursuant to its state cleanup authority. Cleanup activities continue to be successfully implemented by the responsible party, pursuant to two agreed orders between the responsible party and the state. The main source of contamination was remediated through source removal and no human or ecological exposure pathways remain. The remedy at the site is protective of human health and the environment. Further documentation may be found in https://www.regulations.gov using Docket number EPA-HQ-SFUND-1993-0003.

Authority: 33 U.S.C. 1251 *et seq.*; 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; 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: April 22, 2021.

Barry Breen,

Acting Assistant Administrator, Office of Land and Emergency Management.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 721

[EPA–HQ–OPPT–2020–0581; FRL–10017–51]

RIN 2070–AB27

Significant New Use Rules on Certain Chemical Substances (21–2.B)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for chemical substances which are the subject of premanufacture notices (PMNs). This action would require persons to notify EPA at least 90 days before commencing manufacture (defined by statute to include import) or processing of any of these chemical substances for an activity that is designated as a significant new use by this proposed rule. This action would further require that persons not commence manufacture or processing for the significant new use until they have submitted a Significant New Use Notice (SNUN), and EPA has conducted a review of the notice, made an appropriate determination on the notice, and has taken any risk management actions as are required as a result of that determination.

DATES: Comments must be received on or before June 1, 2021.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2020–0581, using the Federal eRulemaking Portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

Due to the public health emergency, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues

to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

For technical information contact: William Wysong, New Chemicals Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–4163; email address: wysong.william@epa.gov.

For general information contact: The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you manufacture, process, or use the chemical substances contained in this proposed rule. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Manufacturers or processors of one or more subject chemical substances (NAICS codes 325 and 324110), *e.g.*, chemical manufacturing and petroleum refineries.

This action may also affect certain entities through pre-existing import certification and export notification rules under TSCA. Chemical importers are subject to the TSCA section 13 (15 U.S.C. 2612) import provisions. This action may also affect certain entities through pre-existing import certification and export notification rules under TSCA, which would include the SNUR requirements should these proposed rules be finalized. The EPA policy in support of import certification appears at 40 CFR part 707, subpart B. In addition, pursuant to 40 CFR 721.20, any persons who export or intend to export a chemical substance that is the subject of this proposed rule on or after June 1, 2021 are subject to the export notification provisions of TSCA section 12(b) (15 U.S.C. 2611(b)) and must comply with the export notification requirements in 40 CFR part 707, subpart D.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit CBI to EPA through [regulations.gov](https://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. Background

A. What action is the Agency taking?

EPA is proposing these SNURs under TSCA section 5(a)(2) for chemical substances which are the subjects of PMNs P–19–82, P–20–76, and P–20–94. These proposed SNURs would require persons who intend to manufacture or process any of these chemical substances for an activity that is designated as a significant new use to notify EPA at least 90 days before commencing that activity.

The record for these proposed SNURs, identified as docket ID number EPA–HQ–OPPT–2020–0581, includes information considered by the Agency in developing these proposed SNURs.

B. What is the Agency’s authority for taking this action?

TSCA section 5(a)(2) (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a “significant new use.” EPA must make this determination by rule after considering all relevant factors, including the four TSCA section 5(a)(2) factors listed in Unit III.

C. Do the SNUR general provisions apply?

General provisions for SNURs appear in 40 CFR part 721, subpart A. These provisions describe persons subject to the rule, recordkeeping requirements, exemptions to reporting requirements, and applicability of the rule to uses occurring before the effective date of the rule. Provisions relating to user fees appear at 40 CFR part 700. Pursuant to