

comments, no further activity is planned. For further information, please see the direct final action.

Dated: August 26, 2004.

**Wayne Nastri,**

*Regional Administrator, Region IX.*

[FR Doc. 04-21180 Filed 9-20-04; 8:45 am]

BILLING CODE 6560-52-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 261

[SW-FRL-7816-8]

#### Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Withdrawal

**AGENCY:** Environmental Protection Agency.

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** Environmental Protection Agency (EPA) is withdrawing its proposed rule to grant a petition submitted by Teris, LLC to exclude (or delist) a certain incineration ash generated by its El Dorado, AR Plant from the lists of hazardous wastes in the Resource Conservation and Recovery Act. This notice removes the proposed rule published in 68 FR 55206 (September 23, 2003) for public review and comment. Several comments were received on this proposed rule, which highlighted gaps in the data presented by EPA. The Agency acknowledges these deficiencies. Teris withdrew its petition until such time as these deficiencies can be addressed. No further action on the proposed rule will be taken.

**FOR FURTHER INFORMATION CONTACT:** Michelle Peace by mail at U.S. EPA Region 6, Multimedia Planning and Permitting Division, Corrective Action and Waste Minimization Section (6PD-C), 1445 Ross Avenue, Dallas, TX 75202, or by phone at (214) 665-7430 or by email at [peace.michelle@epa.gov](mailto:peace.michelle@epa.gov).

**SUPPLEMENTARY INFORMATION:** On September 23, 2003, 68 FR 55206, EPA proposed to approve an exclusion from the list of hazardous wastes for Teris, LLC. We subsequently received several adverse comments which highlighted several deficiencies in the data submitted by Teris. Teris withdrew its petition submitted, June 5, 2002 on August 13, 2004, until the areas of concern and data gaps can be addressed. No further action will be taken on this petition.

### List of Subjects in 40 CFR Part 261

Environmental protection, Hazardous waste, Recycling, Reporting and recordkeeping requirements.

**Authority:** Sec. 3001(f) RCRA, 42 U.S.C. 6921 (f).

Dated: September 9, 2004.

**Carl Edlund,**

*Division Director, Multimedia Planning and Permitting Division, Region 6.*

[FR Doc. 04-21181 Filed 9-20-04; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 312

[SFUND-2004-0001; FRL-7816-6]

RIN 2050-AF04

#### Notice of Public Meeting To Discuss Standards and Practices for All Appropriate Inquiries

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of public meeting.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) will hold a public meeting to discuss EPA's proposed rule that would set federal standards and practices for conducting all appropriate inquiries, as required under sections 101(35)(B)(ii) and (iii) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The proposed rule was published in the *Federal Register* on August 26, 2004 (69 FR 52541) and is available on the EPA Web site at <http://www.epa.gov/brownfields>. The public meeting will be held on Thursday, November 18, 2004 in San Francisco, California, at the times and location specified below.

The purpose of the public meeting is for EPA to listen to the views of stakeholders and the general public on the Agency's proposed standards and practices for all appropriate inquiries. During the public meeting, EPA officials will discuss the proposed rule, as well as accept public comment and input on the proposed rule.

**DATES:** The public meeting will be held on November 18, 2004 at the Park Hyatt San Francisco Hotel at Embarcadero Center. The meeting will be held from 2 p.m. to 4 p.m. PST.

**ADDRESSES:** The public meeting will be held in the Mercantile Room of the Park Hyatt San Francisco Hotel at Embarcadero Center, 333 Battery Street, San Francisco, California 94111.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Patricia Overmeyer of EPA's Office of Brownfields Cleanup and Redevelopment at (202) 566-2774 or [overmeyer.patricia@epa.gov](mailto:overmeyer.patricia@epa.gov).

**SUPPLEMENTARY INFORMATION:** The meeting is open to the general public. Interested parties and the general public are invited to participate in the public meeting. Parties wishing to provide their views to EPA on the proposed rule, or to listen to the views of other parties, are encouraged to attend the public meeting. Any person may speak at the public meeting; however, we encourage those planning to give oral testimony to pre-register with EPA. Those planning to speak at the public meeting should notify Patricia Overmeyer or Sven-Erik Kaiser, of EPA's Office of Brownfields Cleanup and Redevelopment, U.S. Environmental Protection Agency (Mail Code 5105T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, no later than November 10, 2004. Patricia Overmeyer can be contacted at (202) 566-2774 or [overmeyer.patricia@epa.gov](mailto:overmeyer.patricia@epa.gov). Sven-Erik Kaiser can be contacted at (202) 566-2753 or [kaiser.sven-erik@epa.gov](mailto:kaiser.sven-erik@epa.gov). If you cannot pre-register, you may sign up at the door starting two hours before the start of the meeting in San Francisco on November 18, 2004. Oral testimony will be limited to 7 minutes per participant. Any member of the public may file a written statement in addition to, or in lieu of, making oral testimony. A verbatim transcript of the hearing and any written statements received by EPA at the public meeting will be made available at the OSWER Docket and on the EDOCKET Web site, at the addresses provided below. If you plan to attend the public hearing and need special assistance, such as sign language interpretation or other reasonable accommodations, contact Patricia Overmeyer or Sven-Erik Kaiser, at the above email addresses or phone numbers.

Interested parties not able to attend the public meeting may submit written comments to the Agency. All written comments must be submitted to EPA in compliance with the instructions that will be provided in the preamble to the proposed rule. The instructions are summarized below.

Parties wishing to comment on the proposed rule may submit written comments to EPA. Comments must be submitted to EPA no later than November 30, 2004. Submit your written comments, identified by Docket ID No. SFUND-2004-0001, by one of the following methods:

1. *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

2. *Agency Web Site*: <http://www.epa.gov/edocket>. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

3. *E-mail*: Comments may be sent by electronic mail to [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov), /Attention Docket ID No. SFUND-2004-0001.

4. *Mail*: Send comments to the OSWER Docket, Environmental Protection Agency, Mail Code: 5305T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. SFUND-2004-0001. In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attn: Desk Officer for EPA, 725 17th St., NW., Washington, DC 20503.

5. *Hand Delivery*: Deliver your comments to the EPA Docket Center, EPA West Building, Room B102, 1301 Constitution Ave., NW., Washington, DC, Attention Docket ID No. SFUND-2004-0001. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions*: Direct your comments to Docket ID No. SFUND-2004-0001. 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.epa.gov/edocket>, 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 EDOCKET, [regulations.gov](http://www.regulations.gov), or e-mail. The EPA EDOCKET and the federal [regulations.gov](http://www.regulations.gov) Web sites are "anonymous access" systems, 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 e-mail comment directly to EPA without going through EDOCKET or [regulations.gov](http://www.regulations.gov), your e-mail 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. For additional information about EPA's public docket visit EDOCKET on-line or see the **Federal Register** of May 31, 2002 (67 FR 38102).

Dated: September 15, 2004.

**Linda Garczynski**,

*Director, Office of Brownfields Cleanup and Redevelopment.*

[FR Doc. 04-21182 Filed 9-20-04; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-D-7602]

#### Proposed Flood Elevation Determinations

**AGENCY**: Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION**: Proposed rule.

**SUMMARY**: Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES**: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES**: The proposed BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT**: Doug Bellomo, P.E., Hazard Identification Section, Emergency

Preparedness and Response Directorate, FEMA, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION**: FEMA proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified BFEs are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

*Regulatory Classification.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 12612, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This proposed rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.