

April 12, 1988, Notice of proposed rulemaking. In the introductory text of § 12.21 in *Subpart C—Foreign Names of Geographic Significance*, on page 12028, the phrase “27 CFR 4.24(c)(2)” should have read “27 CFR 4.24(c)(1)”.

#### Drafting Information

The principal author of this document was John Colozzi, Alcohol Import-Export Branch, Bureau of Alcohol, Tobacco and Firearms.

#### List of Subjects

##### 27 CFR Part 4

Advertising, Consumer protection, Imports, Labeling, Packaging and Containers, Wine.

##### 27 CFR Part 12

Administrative practice and procedures, Imports, Labeling, Wine.

Signed: October 12, 1988.

**Stephen E. Higgins,**

*Director.*

[FR Doc. 88-23941 Filed 10-13-88; 3:25 pm]

BILLING CODE 4810-31-M

#### 27 CFR Part 19

[Notice No. 673; Ref. Notice No. 669]

#### Labels for Export Spirits

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

**ACTION:** Extension of comment period.

**SUMMARY:** This notice extends for thirty days the comment period for Notice No. 669, a notice of proposed rulemaking published in the **Federal Register** on August 24, 1988 (53 FR 32255). Notice 669 invites comments from the public and industry as to whether 27 CFR 19.395 should be amended to give the Director ATF the authority to waive all of the labeling requirements for bottled distilled spirits which are to be exported. This proposal would enable distilled spirits products intended for exportation to be bottled in this country at less than the minimum bottling proofs established by regulation (27 CFR 5.22) without the necessity that the labels for such products bear the word “diluted.” ATF has received a request from the Distilled Spirits Council of the United States, Inc., an organization which represents manufacturers and importers of distilled spirits, for an extension of the comment period in order that more time will be available for the organization and its members to consider the proposal.

**DATE:** Written comments must be received on or before November 23, 1988.

**ADDRESS:** Send written comments to: Chief, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044-0385 Attn: Notice No. 669.

#### FOR FURTHER INFORMATION CONTACT:

Robert Petrangelo or Colleen Then, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226 (202-566-7531).

#### SUPPLEMENTARY INFORMATION:

##### Drafting Information

The authors of this document are Robert Petrangelo and Colleen Then, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms.

##### List of Subjects in 27 CFR Part 19

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Claims, Chemicals, Customs duties and inspection, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Spices and flavorings, Surety bonds, Transportation, Virgin Islands, Warehouses, Wine.

#### Authority and Issuance

This notice is issued under the authority in 27 U.S.C. 5201 and 27 U.S.C. 5301.

Signed: October 12, 1988.

**Stephen E. Higgins,**

*Director.*

[FR Doc. 88-23940 Filed 10-18-88; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 300

[FRL-3451-5]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List; Cooper Road Site

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete Cooper Road Site from the National Priorities List; request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA), Region II Office, announces its intent to delete the Cooper Road site from the National Priorities List (NPL) and requests public comment on this action. The NPL

constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New Jersey have determined that no further fund financed remedial actions are appropriate at this site and actions taken to date are protective of the public health, welfare, and the environment.

**DATE:** Comments concerning this site may be submitted on or before November 18, 1988.

**ADDRESSES:** Comments may be mailed to: Stephen D. Luftig, Director, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, NY 10278.

Comprehensive information on this site is available through the EPA public docket, which is located at EPA's Region II Office in New York City, and is available for viewing by appointment only from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Requests for appointments or copies of the background information from the Regional public docket should be directed to the EPA Region II docket office. The Address for the Regional docket office is: Mr. Donald Lynch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, Room 711, New York, NY 10278, (212) 264-1870.

**FOR FURTHER INFORMATION CONTACT:** Background information from the Regional public docket is also available for viewing at the Cooper Road site information repository located with: Mr. John Connolly, Zoning Officer, Township of Voorhees Health Department, 620 Berlin Road, Voorhees, New Jersey 08043.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

#### I. Introduction

The Environmental Protection Agency (EPA), Region II Office, announces its intent to delete the Cooper Road site, in Voorhees Township, New Jersey from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the

NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Response Trust Fund (Fund). Pursuant to section 105(e) of CERCLA, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments on this site for thirty days after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the site meets the deletion criteria.

## II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR 300.66(c)(7), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider whether any of the following criteria have been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Before deciding to delete a site, EPA must first determine that the remedy (or no remedy if appropriate) is protective of public health, welfare, and the environment, considering environmental requirements which are applicable or relevant and appropriate. In addition, section 121(f)(1)(c) of CERCLA requires State concurrence for deleting a site from the NPL.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such actions. Section 105(e) of CERCLA states:

Whenever there has been, after January 1, 1985, a significant release of hazardous substances or pollutants or contaminants from a site which is listed by the President as a "Site Cleaned Up to Date" on the National Priorities List, the site shall be restored to the National Priorities List without application of the hazard ranking system.

## III. Deletion Procedures

In the NPL rulemaking published in the **Federal Register** on October 15, 1984 (49 FR 40320), the Agency solicited and received comments on whether the notice and comment procedures followed for adding sites to the NPL should also be used before sites are deleted. Comments were also received in response to the amendments to the NCP that were proposed in the **Federal Register** on February 12, 1985 (50 FR 5862). Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for information purposes and to assist Agency management. As is mentioned in section II of this notice, section 105(e) of CERCLA makes clear that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

EPA Region II will accept and evaluate public comments. The Agency believes that deletion procedures should focus on notice and comment at the local level, similar to those procedures for local comment outlined in EPA's March 27, 1984 "Interim Procedures for Deleting Sites from the NPL." Comments from the local community are likely to be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of this site:

1. EPA Region II has recommended deletion and has prepared the relevant documents.

2. The State of New Jersey has concurred with the deletion decision.

3. Concurrent with this National Notice of Intent to Delete, a local notice has been published in local and community newspapers and has been distributed to appropriate Federal, State and local officials, and other interested parties. This local notice announces a thirty (30) day public comment period on the deletion package.

4. The Region has made all relevant documents available in the Regional Office and local site information repository.

The comments received during the notice and comment period will be evaluated before the final decision to delete. The Region will prepare a Responsiveness Summary, which will address the comments received during the public comment period.

A deletion will occur after the Assistant Administrator for Solid Waste and Emergency Response places a notice in the **Federal Register**. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary will be

made available to local residents by Region II.

## IV. Basis for Intended Site Deletion

The following summary provides the Agency's rationale for recommending deletion of the Cooper Road site in Voorhees Township, New Jersey from the NPL.

The Cooper Road site is located on a small tract of land, less than 100 square feet, near the intersection of Treebark Terrace and Courtland Drive in Voorhees Township, Camden County, New Jersey.

In mid-1982, the New Jersey Department of Environmental Protection (NJDEP) was informed by the State Police of the presence of several dozen one- and two-ounce vials containing liquid chemicals of an unknown nature. Subsequent analysis of the contents of the vials indicated the presence of several hazardous substances including benzene, ethylbenzene, xylene, methane, naphthalene and hexachlorocyclopentadiene. Based on the potential for ground water contamination the site was proposed for inclusion on the NPL in August 1983 and appeared on the final NPL in November 1984.

In May 1984, pursuant to a Directive Letter from the NJDEP, the site owner conducted a removal of the vials and six inches of the underlying soil. EPA was apprised of the surface cleanup. In October 1984, EPA determined that an investigation of the subsurface conditions at the site was necessary in order to determine if a release of contamination into the underlying soils and/or ground water had occurred in the vicinity of the vials.

Due to the moderately low ranking of the site on the NPL, and because of the previous surface cleanup activities, funds for a remedial investigation did not become available until 1986.

In April 1987, EPA completed a modified remedial investigation which included soil, ground water and potable well sampling. Results of ground water and soil analysis found background levels of metals and other elements normally associated with the aquifer and soil conditions in southern New Jersey. Potable well samples did not detect any contaminants.

The results of field investigations revealed that no levels of contaminants attributable to the contamination which previously existed at Cooper Road remained in the environment. EPA and NJDEP evaluations of the cleanup performed at the site indicated that there was no longer a source of contamination nor has there been any

migration of contaminants into the air, ground water, surface water or soil. Therefore, the Record of Decision signed on September 30, 1987 called for no further action at the Cooper Road site.

The Agency for Toxic Substances and Disease Registry (ATSDR) completed a health consultation for the site in August 1987. ATSDR concluded that the ground water does not pose a threat to public health.

The EPA community relations activities at the site included a public meeting in September 1987 to present the Agency's preferred remedial alternatives. Public comments were received and addressed.

EPA, with concurrence of the State of New Jersey, has determined that there is no longer a release that poses a significant threat to public health or the environment and, therefore, the taking of further remedial measures is not appropriate.

**William J. Muszynski,**

*Acting Regional Administrator.*

[FR Doc. 88-22186 Filed 10-18-88; 8:45 am]

BILLING CODE 6560-50-M

#### 40 CFR Part 300

[FRL-3455-5]

#### **National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List; Krysowaty Farm Site**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete Krysowaty Farm Site from the National Priorities List; request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA), Region II Office, announces its intent to delete the Krysowaty Farm site from the National Priorities List (NPL) and request public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New Jersey have determined that no further fund financed remedial actions are appropriate at this site and actions taken to date are protective of the public health, welfare, and the environment.

**DATE:** Comments concerning this site may be submitted on or before November 18, 1988.

**ADDRESSES:** Comments may be mailed to: Stephen D. Luftig, Director,

Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, NY 10278.

Comprehensive information on this site is available through EPA public docket, which is located at EPA's Region II Office in New York City, and is available for viewing by appointment only from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Requests for appointments or copies of the background information from the Regional public docket should be directed to the EPA Region II docket office.

The Address for the Regional docket office is: Mr. Ronald Borsellino, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, Room 711, New York, NY 10278, (212) 264-1870.

#### **FOR FURTHER INFORMATION CONTACT:**

Background information from the Regional public docket is also available for viewing at the Krysowaty site information repository located with Mr. Glen Belnay, Health Officer, Hillsborough Township Health Department, 330 Amwell Road, Neshanic, New Jersey 08853.

#### **SUPPLEMENTARY INFORMATION:**

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##### **I. Introduction**

The Environmental Protection Agency (EPA), Region II Office, announces its intent to delete the Krysowaty Farm site, in Voorhees Township, New Jersey from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Response Trust Fund (Fund). Pursuant to section 105(e) of CERCLA, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments on this site for thirty days after publication of this notice in the **Federal Register**.

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##### **II. NPL Deletion Criteria**

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