

Federal Register Notice

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300
[FRL-4090-6]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of sites from the National Priorities List.

SUMMARY:

The Environmental Protection Agency (EPA) announces the deletion of two sites from the Superfund National Priorities List (NPL). The NPL is 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 of 1980 (CERCLA), as amended. The sites are Beachwood/Berkeley Wells in Ocean City, New Jersey, and Johns' Sludge Pond in Wichita, Kansas. EPA, in consultation with New Jersey and Kansas, has determined that all appropriate Fund-financed responses under CERCLA has been implemented and that no further response action by responsible parties is appropriate. EPA has concluded that conditions at the sites are protective of human health, and the environment. Both States have concurred on the deletion of the sites from the NPL.

EFFECTIVE DATE:

January 6, 1992.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Under section 105(a)(8)(B) of CERCLA, EPA has established the NPL as a list of priorities among known or threatened releases of hazardous substances, pollutants and contaminants throughout the United States, for potential response action. Sites on the NPL may be the subject of Hazardous Substance Superfund (Fund) financed remedial actions. Sites are deleted from the NPL when all appropriate response actions have been implemented or investigation of the site has shown that the site poses no significant threat. Any sites deleted from the NPL remain eligible for Fund-financed remedial action in the event that conditions at the site are later found to warrant such action. Section 300.425(e)(3) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) provides that whenever there is a significant release from a site deleted from the NPL, the site shall be restored to the NPL without application of the Hazard Ranking System. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts. Specific information about each site follows.

Beachwood/Berkeley Wells

The Beachwood/Berkeley Wells site is located in Ocean County, New Jersey. EPA published a Notice of Intent to Delete the Beachwood/Berkeley Wells site from the NPL on July 12, 1991 (56 FR 31900). EPA also published a notification in

a local newspaper on July 12, 1991. The comment period ended on August 12, 1991. EPA received no comments. Entries in the Deletion Docket may be reviewed at the EPA Region II office in New York, New York and at the Berkeley Township Library, in Bayville, New Jersey; the Beachwood Borough Library in Beachwood, New Jersey; and the New Jersey Department of Environmental Protection in Trenton, New Jersey.

Johns' Sludge Pond

The Johns' Sludge Pond site is located in Wichita, Kansas. EPA published a Notice of Intent to Delete the Johns' Sludge Pond site from the NPL on September 10, 1991 (56 FR 46142). EPA also published a notification in the principal local newspaper on September 8, 1991. The comment period ended on October 21, 1991. EPA received no comments. Entries in the Deletion Docket may be reviewed at the EPA Region VII office in Kansas City, Kansas, and at the Department of Public Works at the City Hall in Wichita, Kansas. It is EPA's policy to conduct a Five-Year Review at sites in which hazardous substances remain above levels which allow for unlimited use and unrestricted exposure. A Five-Year Review was conducted at this site in December 1990 at which time it was determined that the remedy remains protective of human health and the environment.

List of Subjects in 40 CFR Part 300

Hazardous waste.

PART 300--[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: Section 105, Pub. L. 96-510, 94 Stat. 2764, 42 U.S.C. 9605 and sec. 311(c)(2), Pub. L. 92-500 as amended, 86 Stat. 865, 33 U.S.C. 1321(c)(2); E.O. 12316, 46 FR 42237; E.O. 11735, 38 FR 21243.

Appendix B--[Amended]

2. The first table in appendix B is amended as follows:

- a. Remove NPL Rank 408 from Group 9 (Beachwood/Berkeley Wells) and redesignate 409 through 1069 as 408 through 1068;
- b. Remove newly redesignated NPL Rank 648 from Group 12 (Johns' Sludge Pond) and redesignate 649 through 1068 as 648 through 1067;
- c. The heading "Group 9 (HRS Scores 42.33-41.60)" is revised to read " Group 9 (HRS Scores 42.33-41.59);"
- d. The heading "Group 10 (HRS Scores 41.59-31.89)" is revised to read " Group 10 (HRS Scores 41.44-39.88);"
- e. The heading "Group 11 (HRS Scores 39.88-38.20)" is revised to read " Group 11 (HRS Scores 39.87-38.20);"
- f. The heading "Group 12 (HRS Scores 38.20-37.63)" is revised to read " Group 12 (HRS Scores 38.17-37.62);"
- g. The heading "Group 13 (HRS Scores 37.62-35.79)" is revised to read " Group 13 (HRS Scores 37.52-35.76);"
- h. The heading "Group 14 (HRS Scores 35.79-35.35)" is revised to read " Group 14 (HRS Scores 35.72-35.34);"
- i. The heading "Group 15 (HRS Scores 35.35-34.21)" is revised to read " Group 15 (HRS Scores 35.34-34.21);"
- j. The heading "Group 16 (HRS Scores 34.21-33.73)" is revised to read " Group 16 (HRS Scores 34.21-33.71);"
- k. The heading "Group 17 (HRS Scores 33.73-32.87)" is revised to read " Group 17 (HRS Scores 33.71-32.69);"

- l. The heading "Group 18 (HRS Scores 32.77-31.94)" is revised to read " Group 18 (HRS Scores 32.65-31.90);"
- m. The heading "Group 19 (HRS Scores 31.94-30.93)" is revised to read " Group 19 (HRS Scores 31.86-30.83);"
- n. The heading "Group 20 (HRS Scores 30.83-29.85)" is revised to read " Group 20 (HRS Scores 30.78-29.81);" and
- o. The heading "Group 21 (HRS Scores 29.85-28.90)" is revised to read " Group 21 (HRS Scores 29.78-28.90);"

Dated: December 27, 1991.

Don. R. Clay,

Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 92-79 Filed 1-3-92; 8:45 am]

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