

40 CFR Parts 85, 86 and 600

[AMS-FRL-4550-5]

Standards for Emissions From Natural Gas-Fueled, and Liquefied Petroleum Gas-Fueled Motor Vehicles and Motor Vehicle Engines, and Certification Procedures for Aftermarket Conversion Hardware**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Extension of comment period.

SUMMARY: This notice announces the extension of the comment period for the Notice of Proposed Rulemaking (NPRM) entitled "Standards for Emissions from Natural Gas-Fueled, and Liquefied Petroleum Gas-Fueled Motor Vehicles and Motor Vehicle Engines, and Certification Procedures for Aftermarket Conversion Hardware," which was published on November 5, 1992 (57 FR 52912). In that notice, EPA stated that the public comment period would remain open for 30 days following the December 3, 1992, hearing. However, in light of the scope of that NPRM, as well as the fact that the year end holidays fall at the end of the current comment period, the Agency is extending the comment period.

DATES: Comments on this proposal will be accepted until January 15, 1993.

ADDRESSES: Interested parties may submit written comments (in duplicate, if possible) to Public Docket No. A-92-14 at the following address: U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

Mr. John Mueller, EVRB-12, U.S. Environmental Protection Agency, Regulation Development and Support Division, 2565 Plymouth Road, Ann Arbor, MI 48105, Telephone (313) 668-4275.

SUPPLEMENTARY INFORMATION: For further information on this matter, please refer to EPA's November 5, 1992 Notice of Proposed Rulemaking at 57 FR 52912.

Dated: December 21, 1992.

Michael Shapiro,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 92-31566 Filed 12-28-92; 8:45 am]

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40 CFR Part 300

[FRL-4548-9]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List**AGENCY:** Environmental Protection Agency.**ACTION:** Notice of intent to delete the Woodbury Chemical Company site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA), Region VIII announces its intent to delete the Woodbury Chemical Company Site (Site) from the National Priorities List (NPL) and requests public comment on this action. EPA and the State of Colorado (State) have determined that all appropriate response actions have been implemented at the Site and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State have determined that remedial activities conducted at the Site are protective of public health, welfare, and the environment.

DATES: Comments concerning the proposed deletion of the Woodbury Site may be submitted to EPA during the thirty days following publication of this notice in the **Federal Register**.

ADDRESSES: Comments may be mailed to: Ms. Laura Williams (8HWM-SR), Remedial Project Manager, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2466.

Comprehensive information on this Site is available through the EPA, Region VIII public docket, which is located at EPA's Region VIII Administrative Records Center and is available for viewing from 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. Requests for documents should be directed to the EPA, Region VIII Records Center.

The address for the Regional Records Center is: Administrative Records Center, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, 5th Floor, Denver, Colorado 80202-2466, (303) 293-1807.

Background information from the Regional public docket is also available for viewing at two Woodbury Site information repositories located at the: Colorado Department of Health, Hazardous Materials and Waste, Management Division, 4300 Cherry Creek Drive South, Denver, Colorado 80222 (303) 692-3300, Hours: 8 a.m. to 5 p.m., Monday through Friday. and

Adams County Public Library, Commerce City Branch 7185 Monaco Street, Commerce City, Colorado 80022 (303) 287-0063, Hours 1 p.m. to 8 p.m., Monday and Thursday; 10 a.m. to 5 p.m. Tuesday, Wednesday, Friday, and Saturday.

FOR FURTHER INFORMATION CONTACT:

Ms. Laura Williams (8HWM-SR), U.S. EPA, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2466. (303) 293-1531.

or

Mr. Barry Levene (8HWM-SR), Chief, ND/CO Section, U.S. EPA, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2466. (303) 293-1843.

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I. Introduction

The Environmental Protection Agency (EPA), Region VIII announces its intent to delete the Woodbury Chemical Company Site (Site) located in Commerce City, Colorado from the National Priorities List (NPL) and requests comments on this deletion. The NPL constitutes appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), title 40 of the Code of Federal Regulations (40 CFR), as amended. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as a list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund) Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that future conditions at the site warrant such action.

It is EPA's intent to delete the Woodbury Chemical Company Site from the NPL. EPA will accept comments on this proposed deletion for thirty days following 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 Woodbury Site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations with regard to an individual site. The NPL is designed primarily for informational

purposes and to assist EPA management.

II. NPL Deletion Criteria

The NCP establishes the criteria that EPA uses to delete sites from the NPL. In accordance with 40 CFR § 300.425(e), 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.

For all Remedial Actions (RA) which result in hazardous substances, pollutants, or contaminants remaining at the site above levels that allow for unlimited use and unrestricted exposure, it is EPA's policy that a review of such action be conducted no less than every five years after initiation of the selected RA. As stated under "Basis for Intended Deletion," the selected remedy for the Woodbury Site required the removal of the contaminated soils, rubble, and investigation-derived waste from the Site. There was no ground water component to the remedy since Site contaminants had not affected the ground water aquifer. As a result of implementing this remedy, hazardous substances, pollutants, and contaminants were removed from the Site and eliminated as potential sources of contamination, thereby allowing for unlimited use and unrestricted exposure. In accordance with 40 CFR 300.430(f)(4)(ii), a five-year review is, therefore, not required for this Site.

III. Deletion Procedures

EPA, Region VIII will accept and evaluate public comments before making a final decision to delete the Woodbury Site. The following procedures were used for the intended deletion of this Site:

1. EPA, Region VIII has recommended deletion of the Woodbury Site and has prepared the relevant documents.

2. The State of Colorado has concurred with EPA's recommendation for deletion.

3. Concurrent with this National Notice of Intent to Delete, a local notice has been published in local newspapers and has been distributed to appropriate Federal, State and local officials, and other interested parties.

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

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

Subsequent to the public comment period, a deletion will occur after EPA publishes a Notice of Deletion 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 VIII.

IV. Basis for Intended Site Deletion

The following summary provides EPA's rationale for recommending deletion of the Woodbury Chemical Company Superfund Site.

The Woodbury Chemical Company Superfund Site is located at 5400 Monroe Street in Commerce City, a northern suburb of Denver in Adams County, Colorado. The Woodbury Chemical Company operated a pesticide formulation facility from the late 1950's to 1971. On May 10, 1965, the main Woodbury Chemical Company building was destroyed by fire. Shortly thereafter, the Woodbury Chemical Company constructed a new building at the original building location. Contaminated rubble and debris from the fire were deposited in various locations at the Site, including a vacant 2.2-acre lot directly east of the Woodbury Chemical Company facility.

The Site was proposed for listing on the NPL on July 23, 1982, and listed on September 8, 1983. The primary concerns for potential harm to human health and the environment presented by the Site were exposure to contaminated soils and sediments, and potential ingestion of drinking water from the contaminated ground water aquifer below the Site. Chemicals of concern in the soils and sediments included pesticides, metals, and volatile organic compounds (VOCs).

Chemicals of concern in the ground water are primarily VOCs. However, it has been determined that the Woodbury

Site is not the source of the existing contaminants within the ground water aquifer. This determination is based upon ground water sampling results which clearly indicated that the contaminated ground water originated upgradient to the Site in concentrations similar to those identified below and downgradient to the Site.

In February 1985, EPA, Region VIII completed a Remedial Investigation and Feasibility Study (RI/FS) for Operable Unit I (OUI), the area described above as a vacant 2.2-acre lot. High levels of pesticides (including aldrin, chlordane, DDT, and toxaphene) and elevated concentrations of metals were found in the rubble piles on the soil surface. Lower concentrations were found in the underlying contaminated soil areas. Ground water sampling indicated that the Woodbury Site was not the source of contaminants within the ground water aquifer. EPA issued a Record of Decision (ROD) in July 1985, which selected a complete cleanup remedy for contaminated soils at the 2.2-acre lot.

This Remedial Action (RA), however, was not immediately implemented. During pre-design studies, the EPA discovered significant additional contaminated soils west of the 2.2-acre lot. The area of additional contaminated soils included the original Woodbury Chemical Company property and vacant property located west and north of the Woodbury Chemical Company facility. The decision to expand the RI/FS to these additional areas (OUII) was formalized in the September 1986, ROD amendment.

Additionally, an engineer's cost estimate developed during pre-design studies exceeded the +50/-30 standard established by EPA guidance for cost estimates to implement RA. EPA determined that it would be more cost-effective to delay RA at OUI for simultaneous implementation with the RA at OUII.

The RI for OUII was completed in August 1989. In addition to contaminated soils, the RI identified a large amount of rubble which had been buried near the southern boundary of the Site. Additional ground water sampling further documented EPA's determination that the ground water contamination originated off-site and upgradient to the Woodbury Site. The FS was completed in September 1989.

A final ROD for the Site was signed by the Regional Administrator on September 29, 1989. The 1989 ROD document incorporates and builds upon the ROD issued for this Site in July 1985. Off-site incineration and off-site landfiling of soils which presented an excess carcinogenic health risk greater

than one in one million (1×10^{-6}) was selected as the remedy for the Site. Action levels corresponding to the cumulative 1×10^{-6} cleanup goal were established based upon maximum reasonable exposure to the chemicals of concern present at the Site. The remedy addressed environmental concerns presented by soils contaminated with pesticides, VOCs, and metals, and eliminated the principal threat of contaminated soil as a potential source of contamination to ground water, on-site workers, and the surrounding residents.

The major components of the remedy included:

- Excavation and treatment, via off-site incineration, of all contaminated soils and rubble exceeding the California List Halogenated Organic Compound (HOC) levels (1,000 parts per million total concentration) and of soil/debris containing the 2,3,7,8-isomer of polychlorinated dibenzo-p-dioxin (PCDD) above EPA action levels and disposal of the incinerated soil ash in an off-site Resource Conservation and Recovery Act (RCRA) subtitle C landfill;
- Excavation of contaminated soils and rubble with concentrations of chemicals of concern between EPA action levels and California List HOC levels, and transport to an off-site RCRA subtitle C landfill for disposal; and
- Regarding of on-site soils below EPA action levels, backfilling of excavated areas with clean soil, as necessary, and revegetation of the Site.

The RA activities at the Site began in May 1991, and were completed in June 1992. Approximately 900 tons of highly contaminated soils were excavated, transported off-site, and incinerated with subsequent disposal of the ash in an approved hazardous waste disposal facility. An additional 56,210 tons of lesser contaminated soils, rubble, and investigation-derived waste were excavated, transported off-site, and directly placed in an approved hazardous waste disposal facility. The Site was regarded, backfilled with 11,500 cubic yards of clean fill, and seeded with a mixture of grasses in May 1992.

A risk assessment based upon results of the validation sample analyses was performed to calculate the potential risk associated with the remaining concentrations of chemicals of concern in the soil. The cumulative risk calculations indicated that the health risk associated with the remaining concentrations of the constituents is less than one in one million (1×10^{-6}). All cleanup activities have been completed as planned. No equipment remains on-site.

The remedies completed at the Site were mandated by the ROD and based on the 1985 and 1989 RI/FS Reports. The remedies were comprehensive "one-time" restoration activities and did not include operation and/or maintenance requirements. There are no outstanding institutional controls or field activities remaining at the Site.

V. Community Relations

Since the September 1983 addition of the Site to the NPL, community interest has been minimal. During the 1985 public comment period for OUI, no comments or inquiries were received. The public comment period for the 1989 ROD resulted in marginal community participation as well. While there are several local community groups active in other Superfund activities, no specific concerns regarding the Woodbury Site were presented to EPA prior to initiation of RA.

Due to the close proximity of an economically disadvantaged residential area to the Site, EPA initiated a proactive approach to community relations during RA. This included a door-to-door outreach effort immediately before initiating RA. EPA also distributed five bi-monthly fact sheet updates to the local community over a one-year period during the most intense RA activities. EPA and the State coordinated with local health and environmental offices, including Tri-County Health, Denver Human Health and Hospitals, and the Colorado Division of Wildlife to address community concerns during RA. Local residents and community groups, including the Rocky Mountain Chapter of the Sierra Club, have since expressed their support and praise for the safe, expedient, and efficient cleanup of the Site and the related community relations activities.

VI. Summary

The completed remedies do not result in hazardous substances remaining on-site above levels which allow for unlimited and unrestricted access; therefore, there are no requirements for a five-year review or operation and maintenance. All completion requirements for the Woodbury Site have been achieved as outlined in OSWER Directive 9320.2-3A.

EPA, with the concurrence of the State of Colorado, has determined that all appropriate response actions required by CERCLA at the Woodbury Chemical Company Site have been completed, and that no further cleanup by responsible parties is appropriate.

List of Subjects in 40 CFR Part 300

Environmental protection, Hazardous waste.

Dated: December 17, 1992.

Jack W. McGraw,

*Acting Regional Administrator,
Environmental Protection Agency, Region VIII.*

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Chapter V

[Docket No. 92-64; Notice 2]

RIM 2127-AE63

Motor Vehicle Content Labeling

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Request for comments, extension of comment period.

SUMMARY: This notice extends the comment period on a request for comments concerning the American Automobile Labeling Act, pursuant to which the agency will soon be writing regulations. The agency is taking this action in response to petitions from the Motor Vehicle Manufacturers Association (now the American Automobile Manufacturers Association), the Japan Automobile Manufacturers Association, Inc., and the Association of International Automobile Manufacturers, Inc., which requested additional time to submit comments. The agency is extending the comment period for two weeks, until January 11, 1993.

DATES: Written comments on Docket 92-64, Notice 1, must be received on or before January 11, 1993.

ADDRESSES: Written comments on Docket 92-64, Notice 1, must refer to those docket and notice numbers and be submitted (preferably in 10 copies) to the Docket Section, room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Submissions containing information for which confidential treatment is requested should be submitted (three copies) to Chief Counsel, National Highway Traffic Safety Administration, room 5219, 400 Seventh Street, SW., Washington, DC 20590, and seven additional copies from which the purportedly confidential information has been deleted should be sent to the Docket Section.