

Federal Register Notice

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300
[FRL-3366-7]

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

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY:

The Environmental Protection Agency (EPA) announces the deletion of three sites from the National Priorities List (NPL). The NPL is Appendix B to the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended.

EFFECTIVE DATE:

April 18, 1988.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

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 Hazardous Substance Response Trust Fund (Fund) financed remedial action. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL.

The three sites EPA deletes from the NPL are:

1. Middletown Road Dump, Annapolis, Maryland;
2. Harris (Farley Street), Houston, Texas;
3. Mountain View Mobile Home Estates, Globe, Arizona.

An explanation of the criteria for deleting sites for the NPL was presented in section II of the September 3, 1987 Notice of Intent to Delete (50 FR 33446). A description of each of the three sites, and how each meets the criteria for deletion was presented in section IV of that notice.

The closing date for comments on the Notice of Intent to Delete was October 5, 1987. No comments were received concerning Middletown Road Dump.

In the only comment submitted on the Harris (Farley Street) site, Dow Chemical Company stated that action taken at the site had been effective, and that the site should be deleted from the NPL.

EPA received only one comment concerning the Mountain View Mobile Home Estates site. The U.S. Public Interest Research Group opposed deletion of the site, contending that the remedy is inadequate with regard to long-term protectiveness. EPA disagrees with this assertion. The remedy has been demonstrated to be protective of public health and the environment. Arizona has concurred in the recommendation to delete this site. EPA and the State have entered into a twenty-year Operation and Maintenance agreement which may be renegotiated upon expiration. In addition, ownership of the property comprising the site has been transferred to the State of Arizona, and permanent land-use restrictions have been written into the property title. Moreover, deletion of the site from the NPL in no way precludes eligibility of the site for subsequent Fund-financed actions.

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. 17735, 38 FR 21243.

Appendix B--[Amended]

2. The NPL Part 300; Appendix B is amended as follows:

In Group 14 remove:
Middletown Road Dump, Annapolis, Maryland

In Group 11 remove:
Harris (Farley Street), Houston, Texas

In Group 2 remove:
Mountain View Mobile Home Estates, Globe, Arizona

The NPL will reflect these deletions in the next final update.

Dated: April 7, 1988.

Jack W. McGraw,
Deputy Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 88-8405 Filed 4-15-88; 8:45 am]

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