

This severely reduced the effectiveness of the first half of the 60-day comment period.

EPA has also received requests for comment period extensions on other grounds. The notice proposed "exit values", or specific concentrations at which chemicals pose only low risk to human health or the environment, for over 400 chemicals found in hazardous wastes currently regulated under RCRA. See 60 FR 66349-66380. The risk assessment used to generate the exit values is unusually complex. EPA has received at least seven written requests to extend the comment period by up to 120 days. The requestors believe such extensions are essential to allow them to analyze the risk assessment and prepare meaningful comments.

EPA determined that it needed to extend the comment period by a total of 60 days to provide an adequate opportunity for public participation in this rulemaking. EPA is therefore extending the comment period for this rulemaking to April 22, 1996.

Dated: February 15, 1996.

Elizabeth A. Cotsworth,

*Acting Director, Office of Solid Waste.*

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BILLING CODE 6560-50-P-M

## 40 CFR Part 300

[FRL-5428-3]

### National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Amnicola Dump Superfund Site, Chattanooga, Tenn., from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Amnicola Dump Site from the National Priorities List (NPL) and request public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR Part 300 which is 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) of 1980, as amended. EPA and the State of Tennessee Department of the Environment & Conservation have determined that the Site poses no significant threat to public health or the environment, therefore,

further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments must be submitted by March 25, 1996.

**ADDRESSES:** Comments may be mailed to: Robert West, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia, 30365.

Comprehensive information on this Site is available for viewing through the site information repositories at the following locations:

Chattanooga Hamilton County  
Bicentennial Library, Local History  
Department, 1001 Broad Street,  
Chattanooga, TN 37402.

U.S. EPA Record Center, 345 Courtland  
Street NE., Atlanta, GA 30365.

**FOR FURTHER INFORMATION CONTACT:**

Robert West, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia, 30365, 404-347-3555 Ext. 2033 or 1-800-435-9233 Ext. 2033.

**SUPPLEMENTARY INFORMATION:**

**Introduction**

The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Amnicola Dump Site from the National Priorities List (NPL), Appendix B of National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on this deletion. EPA identifies sites that appear to present a significant risk to public health, welfare, or environment and maintains the NPL as the list of these sites.

As described in 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such action.

EPA will accept comments on the proposal to delete this Site for thirty days after publication of this notice in the Federal Register.

**NPL Deletion Criteria**

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Amnicola Dump Site meets the following criteria for site deletion:

(i) Responsible parties have implemented all appropriate response actions required; and

(ii) All appropriate response under CERCLA has been implemented.

Even if a site is deleted from the NPL, where hazardous substances remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be

conducted at least every five years after the initiation of the remedial action at the site. If new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazardous Ranking System.

**Deletion Procedures**

The following procedures were used for the intended deletion of this Site: (1) EPA Region 4 issued a Final Close Out Report which addressed the Site conditions, quality assurance and control during construction, and technical criteria for satisfying the completion requirements; (2) a notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and (3) all relevant documents have been made available for public review in the local Site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual's rights or obligation. The NPL is designed primarily for information purposes and to assist Agency management. As mentioned in Section VI of this document, § 300.425(e)(30) of the NCP states that deletion of a Site does not preclude eligibility for future response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments of EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary to address any significant public comments received.

A deletion occurs when the Regional Administrator places a final notice in the Federal Register. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

**Basis For Intended Site Deletion**

The following site summary is the Agency's rationale for the proposal to delete Amnicola Dump from the NPL.

**A. Site Background and History**

The Site is an 18-acre inactive construction debris disposal area located in Chattanooga, TN. From mid-1970 to 1973, the Site was operated as a construction debris disposal area by the city of Chattanooga. The debris disposed included 25 percent or less

household-type waste. A substantial portion of the wood waste taken to the Site during this period was incinerated by an air-curtain destructor with the ashes placed on-site. Approximately 12 acres of the 18-acre site were eventually filled.

Consolidated Latex, Inc., formerly located on the south border of the Site, allegedly disposed of latex waste in the southwest corner. In 1971, the Tennessee-American Water Company noted the dumping of latex waste as well as the presence of a strong styrene-like odor during one leachate sampling event. Concern arose because of the proximity of the water company's intake from this leachate stream and alleged latex disposal location. Latex waste is the only industrial waste reportedly disposed at the Site. In May 1971, EPA recommended closure of the Site.

#### *B. Remedial Planning Activities*

The State of Tennessee conducted a site visit in July 1979, and noted that the Site was in good overall condition; however, some discoloration of water was observed in one of the drainage ditches. EPA recommended an evaluation of historical water data and further water sampling.

Sampling of a leachate stream indicated the presence of trichloroethylene, vinyl chloride, and 1,2 transdichloroethylene. The Site was finalized on the NPL in September 1983.

A Remedial Investigation (RI) of the Site commenced in July 1987; EPA conducted this RI to determine the nature and general extent of Site contaminants. A Feasibility Study (FS) was also conducted by EPA to evaluate alternatives for Site cleanup. Sampling data from the RI indicated that some surface soils on the Site contained concentrations of Polynuclear Aromatic Hydrocarbons (PAHs) above acceptable health based levels.

On March 30, 1989, EPA issued a Record of Decision (ROD) for the Site which selected a remedy for the contamination detected. The major remedy components selected for the Site consisted of excavation of surface soil and debris, solidification of the surface soil, and groundwater monitoring.

#### *C. Remedial Construction Activities*

On-Site excavation of contaminated soil and debris started on August 5, 1993, and the material was shipped off-site for disposal. The excavated material included pieces of creosote ties, asphalt chips, bricks, concrete, contaminated soil and other debris. Excavation was completed on August 5, 1993, and confirmatory cleanup samples were taken. Once the confirmatory samples

indicated that the excavated area no longer contained soil levels over the cleanup goal, the area was then filled with crushed stone for easy identification.

The final inspection was performed on September 2, 1993. The inspection was performed by EPA and Tennessee Department of Environment and Conservation (TDEC) representatives. It was determined that the Remedial Action had been successfully executed.

Confirmatory soil sampling taken before and after the soil removal has demonstrated that contaminant levels in the surface soil are now below the cleanup goal. Results of the sampling can be seen in the August 1993, Remedial Design Report and the September 1993, Remedial Action Report. No Site contaminants have been detected in the groundwater above the levels established in the ROD.

#### *D. Community Relations Activities*

The Region 4 Community Relations staff along with the Site project manager conducted an active campaign to ensure that the local residents were well informed about the different activities occurring at the Site. Community relations activities included the development of Community Relations Plans, holding public meetings, and routine publications of progress report fact sheets. Site information was placed at a local repository located in the Chattanooga/Hamilton County Bicentennial Library.

#### *E. Summary of Operation and Maintenance*

Since all surface soil above the cleanup goal has been removed, and as no operating systems or containment measures were necessary, Operation and Maintenance (O&M) of the Site is not required. Site Institutional Controls were defined in the Consent Decree to place deed restrictions on the property.

#### *F. How Amnicola meets NPL Deletion Criteria*

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is appropriate. EPA, in consultation with the State of Tennessee, has concluded that the Amnicola Dump Site meets the following criteria for site deletion:

- (i) Responsible parties have implemented all appropriate response actions required; and
- (ii) All appropriate response under CERCLA has been implemented.

#### *G. State Concurrence To Delete Amnicola Dump Site*

EPA, in consultation with the State of Tennessee, has concluded that the Amnicola Dump Site meets the following criteria for site deletion: (1) Responsible parties have implemented all appropriate response actions required; and (2) All appropriate response under CERCLA has been implemented. EPA and the State of Tennessee believe that the above listed criterion for deletion has been met. Subsequently, EPA is proposing deletion of Amnicola Dump Site from the NPL. Documents supporting this action are available from the docket.

Dated: February 7, 1996.

Phyllis P. Harris,

Acting Regional Administrator, U.S. EPA Region 4.

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### **40 CFR Part 300**

[FRL-5428-2]

#### **National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Gallaway Pits Superfund Site, Fayette County, Tennessee from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) Region 4 announces its intent to delete the Gallaway Pits Site from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is 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) of 1980, as amended. EPA and the State of Tennessee Department of the Environment and Conservation (TDEC) have determined that the Site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments must be submitted by March 25, 1996.

**ADDRESSES:** Comments may be mailed to: Robert West, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365.