

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5820-2]

Proposed Prospective Purchaser Agreement Under the Comprehensive Environmental Response, Compensation and Liability Act**AGENCY:** Environmental Protection Agency.**ACTION:** Notice of a prospective purchaser agreement and covenant not to sue the City of Vineland, New Jersey for a property within the Vineland Company Chemical superfund site.

SUMMARY: The United States Environmental Protection Agency (EPA) is proposing to enter into a Prospective Purchaser Agreement to provide the City of Vineland, New Jersey, a covenant not to sue under the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), as amended, in connection with its proposed purchase and development of a property related to Vineland Chemical Company. This agreement is intended to resolve a potentially responsible party's liability for certain response costs incurred by EPA at the Vineland Chemical Superfund Site in Vineland, New Jersey. Notice is being published to inform the public of the Proposed Prospective Purchaser Agreement and of the opportunity to comment.

DATES: Comments must be provided within 15 days of the publication of this notice.**ADDRESSES:** Comments should be addressed to the US Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007 and should refer to: In the Matter of the Vineland Chemical Company Superfund Site: The City of Vineland, New Jersey, U.S. EPA Index No. CERCLA-97-0103.**FOR FURTHER INFORMATION CONTACT:** US Environmental Protection Agency, Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007, Attention: Virginia Curry, Esq. (212) 637-3134.**SUPPLEMENTARY INFORMATION:** Notice is hereby given of a Proposed Prospective Purchaser Agreement with the City of Vineland, New Jersey resolving the City's potential liability for a property within the Vineland Chemical Company Superfund Site. CERCLA authorizes EPA to enter into this agreement. The Department of Justice approved this agreement pursuant to the inherent settlement authority of the Attorney

General to settle claims of the United States.

A copy of the Proposed Prospective Purchaser Agreement, as well as background information relating to the agreement, may be obtained by mail from EPA's Region II Office of Regional Counsel, 290 Broadway—17th Floor, New York, NY 10007.

Proposed Prospective Purchaser Agreement under CERCLA—Vineland Chemical Company Superfund Site.

Dated: April 14, 1997.

Jeanne M. Fox,
Regional Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5819-9]

Notice of Proposed Administrative Order on Consent for Removal Action Under Sections 104, 106(a), 107, and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act, Regarding the Vanguard Vinyl Siding, Inc. Site, Gloucester City, New Jersey**AGENCY:** Environmental Protection Agency.**ACTION:** Notice of proposed administrative order on consent for removal action and opportunity for public comment.

SUMMARY: In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 USC §9622(i), the U.S. Environmental Protection Agency ("EPA") Region II announces a proposed Administrative Order on Consent for Removal Action under sections 104, 106(a), 107, and 122 of CERCLA, relating to the Vanguard Vinyl Siding, Inc. Site ("Site"), Gloucester City, New Jersey. This Site is not on the National Priorities List established pursuant to section 105(a) of CERCLA. This notice is being published to inform the public of the proposed Order and of the opportunity to comment.

The Administrative Order on Consent for Removal Action (the "Order"), is being entered into by GAF Corporation ("GAF") and EPA.

The Site occupies approximately two acres in an industrial section of Gloucester City, New Jersey, near the Delaware River.

GAF commercially produced asbestos-containing insulating products

at the Site from 1967 to October 1971. In 1981, GAF sold the Site to Vanguard Vinyl Siding, Inc. The Site was abandoned in 1985 and is currently unoccupied.

The objective of this Order is to eliminate the threat of contact with asbestos posed at the Site. Under the Order, GAF will remediate three sources of asbestos on Site.

The first source of asbestos contamination at the Site is the asbestos that was stabilized during an initial removal action undertaken by EPA. This asbestos is currently double-bagged and staged inside a building on the Site. The second source of asbestos contamination is the asbestos materials inside a 10,000 gallon tank located in a courtyard. The third source is the asbestos contaminated soil in the courtyard.

GAF will dispose of the double-bagged asbestos currently staged inside the on-site building. GAF will also remove and dispose of the tank in the courtyard, or, will remove the asbestos from the tank, decontaminate the tank, and dispose of the asbestos. GAF will sample soil in the courtyard and surrounding the tank to determine the extent of soil containing more than 1 percent asbestos ("asbestos contaminated soil"). GAF will either: (1) Excavate, remove, and dispose of, or, (2) cap, asbestos contaminated soil situated in the courtyard. GAF will backfill any excavated areas with clean fill.

Under this Order, GAF agrees to reimburse EPA's past response costs in the amount of one hundred seventy-eight thousand dollars (\$178,000.00). GAF will also reimburse EPA for future response costs, if any.

DATES: EPA will accept written comments relating to the proposed settlement for a period of thirty days from the date of publication of this notice.**ADDRESSES:** Comments should be sent to: Delmar Karlen, Chief, New Jersey Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866. Comments should reference the Vanguard Vinyl Siding, Inc. Site and EPA Index No. II-CERCLA-96-0107. For a copy of the Order, contact the individual listed below.**FOR FURTHER INFORMATION CONTACT:** Carl R. Howard, Assistant Regional Counsel, New Jersey Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, NY 10007-1866; Telephone: (212) 637-3216.