

concentrations in excess of 1,000 mg/kg were excavated and disposed of at an off-site hazardous waste disposal facility. Excavation was completed in the summer of 1989 with a total of 3,760 cubic yards of contaminated soil removed and disposed off-site. Excavated areas were backfilled with clean soil.

In the summer of 1991 EPA initiated a Remedial Investigation (RI) for the Site. The results of the RI indicated that there were two locations in the surface soil and one location in the subsurface soil where lead concentrations still posed a potential human health risk. Groundwater sampling conducted during the RI found elevated lead concentrations in unfiltered samples, but lead was not detected in filtered samples, indicating that lead was bound to soil particles and not mobile in the groundwater.

In the spring of 1992 the ABE site was selected for the demonstration of an innovative soil washing technology by EPA's Superfund Innovative Technology Evaluation (SITE) Program. All soil containing lead concentrations exceeding 1,000 mg/kg, which was a total of about 130 cubic yards, was excavated and treated by the soil washing system. Treated soil which met the cleanup goal was backfilled into the excavated areas, and soil which did not meet the cleanup goal was sent to an off-site disposal facility.

EPA completed the RI, a Human Health Risk Assessment, and Feasibility Study (FS) for the Site in August, 1992. A Record of Decision (ROD) for the Site, which declared that no further action was necessary, was signed on March 2, 1993. However, the ROD specified that two years of groundwater monitoring would be required to verify that groundwater at the Site was not contaminated with lead at levels which would pose a human health risk. This groundwater monitoring program, which was completed in September 1995, determined that lead concentrations in the groundwater were below EPA's drinking water standard of 15 µg/kg, and therefore the groundwater did not pose a human health risk.

During the removal activities at this Site, EPA kept the community informed of its cleanup actions primarily through fact sheets, newspaper articles, and personal communications with EPA's On-Scene Coordinator. Following the removal action, EPA representatives met with local officials, congressional representatives, the facility owner, and members of the community on numerous occasions to identify community concerns to support development of a Community Relations

Plan, and to explain EPA's process for conducting a further investigation of the Site. EPA representatives also met several times with the Potentially Responsible Parties to discuss their potential liability for cleanup costs at the Site. A Proposed Plan for the Site, which called for no further cleanup action, was issued on October 29, 1992, and subject to public comment for 30 days. This Proposed Plan was mailed to individuals on EPA's mailing list and was also announced in a local newspaper notice. EPA also held a public meeting on the Proposed Plan in Fairbanks. In general, those who commented on the Proposed Plan supported EPA's no further action decision. EPA responded to all comments received in the Responsiveness Summary, which is attached to the ROD.

C. Characterization of Site Risk

Based on data collected during the RI, a risk assessment was conducted to identify exposure pathways and potential human health risks resulting from exposure to lead contamination remaining on-site after the removal actions conducted in 1988-89. The potential pathways for human health exposure to lead contamination at the Site were accidental ingestion of soil and ingestion of groundwater. A model was used to determine that a lead cleanup goal of 490 mg/kg for surface soil would be protective of potentially exposed children. For subsurface soils, EPA determined that a cleanup goal of 1,000 mg/kg, which was based on an industrial exposure, would be protective of workers who might be exposed to contaminated soil for a short duration. A risk assessment was not conducted for ingestion of lead in groundwater because a federal drinking water standard (15 µg/kg) already existed which was protective of human health.

Confirmational monitoring of soil and groundwater demonstrate that no significant risk to public health or the environment is posed by residual lead contamination remaining at the Site. Long-term operation and maintenance activities are not required at the Site. Based on the actions taken at the Site prior to the ROD, EPA and ADEC believe that hazardous substances have been removed from the Site so as to allow for unlimited use and unrestricted exposure within the Site, that conditions at the Site are protective of public health and the environment, and that no further remedial action or institutional controls are needed at the Site. Accordingly, EPA will not conduct "five-year reviews" at this Site.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "all appropriate Fund-financed response under CERCLA has been implemented, and no further action by responsible parties is appropriate." EPA, with concurrence of ADEC, believes that this criterion for deletion has been met. The groundwater and soil data confirm that the ROD goals have been met. It is concluded that there is no significant threat to public health or the environment and, therefore, no further remedial action is necessary. Subsequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dated: April 30, 1996.
 Chuck Clarke,
 Regional Administrator, Region 10.
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40 CFR Part 300

[FRL-5504-1]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete Martin Marietta Aluminum Company from the National Priorities List Update: Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Martin Marietta 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 Oregon Department of Environmental Quality (DEQ) 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 concerning this Site may be submitted on or before June 12, 1996.

ADDRESSES: Comments may be mailed to: Howard Orlean, Environmental Protection Agency, 1200 Sixth Avenue,

Mail Stop: ECL-113, Seattle, Washington 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the Martin Marietta Site information repositories at the following locations:

Dalles/Wasco County Library, 722 Court Street, The Dalles, Oregon 97058.
United States Environmental Protection Agency, Region 10 Office of Environmental Cleanup - Records Center, Attn: Lynn Williams, 1200 Sixth Avenue, Mail Stop, ECL-113, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT:

Howard Orlean, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop: ECL-113, Seattle, Washington 98101, (206) 553-6903.

SUPPLEMENTARY INFORMATION

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I. Introduction

The Environmental Protection Agency (EPA) Region 10 announces its intent to delete a site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR Part 300, and requests comments to this deletion. EPA identifies sites on the NPL that appear to present a significant risk to human health or the environment. As described in Section 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA plans to delete the Martin Marietta Aluminum Company Site ("Site") at 3313 West 2nd Street, The Dalles, Oregon 97058, from the NPL.

EPA will accept comments on the plan to delete this Site for thirty days after 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 the Martin Marietta Aluminum Company Site and explains how the Site meets the deletion criteria.

II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that "releases" (sites) may be deleted from, or re-categorized on the NPL where no further response is appropriate. In making a determination to delete a site from the NPL, EPA shall

consider, in consultation with the state, whether any of the following criteria have been met:

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

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further action by responsible parties is appropriate, or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants or contaminants 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 to ensure that the site remains protective of public health and the environment. In the case of the Martin Marietta Aluminum Company Site, hazardous substances remain on the Site which are above health-based levels, therefore, access restrictions, monitoring, operation and maintenance activities, and periodic five-year reviews will continue. In addition, whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) EPA Region 10 issued preliminary and final close out reports which documented the achievement of cleanup goals; (2) The Oregon Department of Environmental Quality (DEQ) concurred with the proposed deletion decision; (3) A notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) 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 rights or obligations. The NPL is designed primarily for informational purposes to assist Agency management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision. The Agency will prepare a Responsiveness Summary if any significant public comments are 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.

IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the intention to delete this Site from the NPL.

A. Site Background

Martin Marietta Aluminum was an aluminum reduction facility located in The Dalles, Wasco County, Oregon, just west of the Columbia River and east of the Union Pacific Railroad tracks at 3313 West 2nd Street. The area surrounding the site is primarily mixed heavy and light industrial and manufacturing property.

B. History

Aluminum production operations were begun at the Site by Harvey Aluminum, Inc. in 1958. Harvey Aluminum, Inc. became a wholly owned subsidiary of Martin Marietta Corporation (MMC) in 1970. The Martin Marietta facility continued operations until 1984, when the plant was shut down. In September of 1986, MMC leased a portion of the facility to Northwest Aluminum Company (NWA), which resumed primary aluminum operations in late 1986. In October 1991, MMC sold the portion of the facility not affected by deed restrictions to NWA. In 1995, MMC merged with Lockheed Corporation to form Lockheed Martin. Lockheed Martin, as successor to MMC, maintains the portion of the NWA plant affected by CERCLA remedial actions. The NWA plant still produces aluminum by electrolytic reduction of alumina.

During facility operation, waste constituents were stored, treated, and disposed of at the Site. Hazardous substances generated by the Martin Marietta facility included fluoride, sodium, sulfate, cyanide and polynuclear aromatic hydrocarbons (PAHs).

A landfill located in the northern portion of the Site was used to dispose of primarily construction debris from the plant. Other materials disposed of in this landfill included asbestos

insulation, coke, pitch and cathode waste.

In the Spring of 1983, the presence of cyanide compounds was detected in the ground water at the Martin Marietta facility. The site was proposed for inclusion on the NPL in October 1984. On June 10, 1986 the Site was placed on the NPL.

In September 1985, MMC and EPA entered into a Consent Order to conduct a remedial investigation/feasibility study (RI/FS) for the Site. On September 29, 1988, EPA signed a Record of Decision (ROD) that addressed the potential sources of contamination as identified in the RI/FS. The selected remedial action in the ROD included the following components:

- Consolidate on-Site residual cathode waste and fill material into the existing Landfill;
- Cap the existing Landfill in place with a multi-media cap meeting Resource Conservation and Recovery Act (RCRA) performance criteria;
- Place a soil cover over two Sludge Ponds;
- Plug and abandon nearby production wells and connect users to the City of The Dalles water supply system;
- Collect and treat leachate generated from the Landfill;
- Recover and treat contaminated ground water from a perched zone near the Unloading Area portion of the Site;
- Prepare ground-water quality monitoring and contingency plans to perform additional recovery of ground water in the event that further contamination is detected above health based standards; and
- Implement institutional controls including deed restrictions and fencing, to assure that the remedial action will protect human health and the environment during and after implementation.

An Explanation of Significant Differences (ESD) was signed by EPA Region 10 on September 23, 1994. The ESD documented modifications to remedial actions which were anticipated in the ROD, and an addition to the remedial action which was not anticipated in the ROD.

Changes to the ROD which are documented in the ESD include the following:

- The ROD anticipated that the volume of leachate generated from the Landfill would be reduced to a negligible flow within five years. However, since the signing of the ROD, the leachate flow rate has not decreased significantly. As a result, the leachate will have to be treated for a longer term than expected.

- The ROD also required treatment of contaminated ground water in an area known as the Unloading Area. Additional ground-water information which was collected since the ROD, has made it unnecessary to treat the ground water in the Unloading Area.

C. Characterization of Risk

Prior to remediation, the preliminary environmental pathways of concern related to the wastes from the aluminum reduction facility were ground water and on-Site soils.

The remedial action commenced on August 29, 1989 and consisted of the following activities:

- Consolidation and capping of wastes and debris from three former operating units.
- Excavation and consolidation of cathodic wastes into the Landfill, and placement of a multi-layered RCRA performance cap over the Landfill.
- Construction of a Leachate Collection System and Cyanide Destruction Treatment System to collect and transfer any generated leachate from the Landfill for treatment.
- Abandonment of four potable water wells in the vicinity of the Site, and connecting their users to the municipal supply.
- Implementation of institutional controls.
- Implementation of a ground-water monitoring program.

On-Site containment of contaminated soils and debris has reduced exposure and inhibited the source of ground-water contamination. Analytical data based on five years of ground-water monitoring following the remedial action indicate concentrations of contaminants of concern do not exceed ROD cleanup levels.

All pathways by which environmental receptors could potentially be exposed to Site-related contaminants have been eliminated.

Since hazardous substances will remain on Site, operation and maintenance activities will continue, and institutional controls will remain in effect. A long-term ground-water monitoring program has been implemented at the Site. In addition, the Site will continue to be subject to periodic five-year reviews to ensure that the remedy remains protective of human health and the environment.

D. Public Participation

Community input has been sought by EPA Region 10 throughout the cleanup process for the Site. Community relations activities have included public meetings prior to signing of the ROD, several public notices in local

newspapers, and routine publication of progress fact sheets. A copy of the Deletion Docket can be reviewed by the public at the Dalles/Wasco County Library or the EPA Region 10 Superfund Records Center. The Deletion Docket includes this Notice, the ROD, ESD, Remedial Action Construction Report, Preliminary Site Close-Out Report, and Final Site Close-Out Report. EPA Region 10 will also announce the availability of the Deletion Docket for public review in a local newspaper and informational fact sheet.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "responsible parties or other persons have implemented all appropriate response actions required". EPA, with the concurrence of DEQ, believes that this criterion for deletion has been met. Ground water and soil data from the Site confirm that the ROD cleanup goals have been achieved. It is concluded that there is no significant threat to human health or the environment and, therefore, no further remedial action is necessary. Subsequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dated: May 2, 1996.

Chuck Clarke,

Regional Administrator, Region 10.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[CC Docket No. 96-98, DA 96-700]

Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Increase in Page Limits for Comments and Reply Comments on Proposed Rule

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: On April 19, 1996, the Commission adopted and released a Notice of Proposed Rulemaking (NPRM) to implement provisions of the Telecommunications Act of 1996 that address local competition. In addition to seeking comment on substantive rules, the NPRM established a limit of seventy-five (75) pages for the initial round of comments and thirty-five (35) pages for reply comments. Exhibits, appendices, and affidavits of expert