

FR 54911, October 22, 1993), establishes a Federal policy for procurement of environmentally friendly products. EPA solicits comment on whether it also is appropriate and effective public policy to provide a Federal procurement advantage to paper products containing pulp or paper from mills that achieve incentives-related BAT limitations or NSPS, as appropriate, corresponding to the Advanced Technology tiers or that otherwise demonstrate performance more stringent than that which is based on the baseline BAT/NSPS. Such an advantage might be a Federal agency preference for such paper products, consistent with other Federal preferences (e.g., recovered materials content) and Federal procurement law. EPA also solicits comment on the mechanics of implementing this type of a procurement preference.

EPA solicits comments on these alternate incentives programs, particularly regarding those components which differ from the incentives program described Section X through X.C of this notice, and how the most useful components of these alternate programs may be incorporated into an incentives program in the final rules.

Dated: July 2, 1996.

Robert Perciasepe,

*Assistant Administrator for Water.*

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## 40 CFR Part 300

[FRL-5534-1]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete the Pomona Oaks Well contamination (Pomona Oaks) and the Vineland State School (currently known as the Vineland Developmental Center) Superfund sites from the National Priorities List: request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region II Office announces its intent to delete the Pomona Oaks and the Vineland State School Superfund sites from the National Priorities List (NPL) and requests public comment on these actions. 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), as amended. EPA and the State of New Jersey have determined that no further fund-financed remedial actions are appropriate at these sites and actions taken to date are protective of public health, welfare, and the environment.

**DATES:** Comments concerning these sites may be submitted on or before August 14, 1996.

**ADDRESSES:** Comments may be mailed to: Kathleen Callahan, Director, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th Floor, New York, NY 10007.

Comprehensive information on these sites is available through the EPA Region II public docket, which is located at EPA's Region II Office in New York City, and is available for viewing, by appointment only, from 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays. Requests for appointments should be directed to: Mr. Matthew Westgate, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th Floor, New York, NY 10007, (212) 637-4422.

Background information from the Regional public docket related to the Pomona Oaks site is also available for viewing at information repository noted below: Galloway Township Municipal Building, 300 East Jimmie Leeds Road, Absecon, New Jersey 08201.

Background Information from the Regional public docket related to the Vineland State School is available for viewing at the repository noted below: Vineland City Library, 1058 East Landis Ave, Vineland, New Jersey 08360.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Westgate, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th Floor, New York, NY 10007, (212) 637-4422.

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#### I. Introduction

The Environmental Protection Agency (EPA) Region II announces its intent to delete the Pomona Oaks site, Galloway Township, Atlantic County, New Jersey, and the Vineland State School site, City of Vineland, Cumberland County, New Jersey from the National Priorities List (NPL) and requests public comment on

these actions. The NPL constitutes Appendix B to 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), as amended. 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 remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (Fund). Pursuant to section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments concerning the Pomona Oaks and the Vineland State School sites 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 these actions. Section IV discusses how the sites meet the deletion criteria.

#### II. NPL Deletion Criteria

The NCP establishes the criteria the Agency uses to delete sites from the NPL. In accordance with 40 CFR Section 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.

#### III. Deletion Procedures

The NCP provides that EPA shall not delete a site from the NPL until the State in which the release was located has concurred, and the public has been afforded an opportunity to comment on the proposed deletion. Deletion of a site

from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts. The NPL is designed primarily for informational purposes and to assist Agency management.

EPA Region II will accept and evaluate public comments before making a final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be the most pertinent to deletion decisions. The following procedures were used for the intended deletion of the Pomona Oaks and the Vineland State School sites:

1. EPA Region II has recommended deletion and has prepared the relevant documents.

2. The State of New Jersey has concurred with the deletion decisions.

3. Concurrent with this Notice of Intent to Delete, a notice has been published in local newspapers and has been distributed to appropriate Federal, state and local officials, and other interested parties. This notice announces a thirty-day public comment period on the deletion package, which starts July 15, 1996, and will conclude on August 14, 1996.

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 any final decision is made. EPA Region II will prepare a Responsiveness Summary, which will address the comments received during the public comment period.

The deletion will occur after the EPA Regional Administrator places a notice 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 the Region II Office.

#### IV. (A). Basis for Intended Deletion of the Pomona Oaks Site

The Pomona Oaks Site includes a residential subdivision and an adjacent shopping center in the Pomona area of Galloway Township, Atlantic County, New Jersey. The residential subdivision contains about 200 single family homes built in the 1970s and has a population of approximately 800 to 1000 people. It is surrounded by undeveloped wooded areas, scattered residences and small "strip" type shopping areas. Some of the outlying areas are farms. Southwest of the subdivision is a combination gas station-convenience store and a "strip"

mall containing a dry cleaner. Another gas station and a salvage yard are located to the west and northwest. The Pomona Oaks subdivision has both municipal water and sewers.

Construction of homes in the Pomona Oaks subdivision began in 1972. Initially, homes within the subdivision relied upon private wells as the source of potable water and upon individual septic systems for wastewater disposal. By 1982, all of the homes in the subdivision were connected to the public sewer system.

In June 1982, residents complained to the Atlantic County Health Department (ACHD) of foul tasting well water. Extensive testing of residential wells revealed high levels of organics including benzene and 1,2-dichloroethane. As a result the ACHD advised residents not to use their well water for drinking or cooking.

Over the next few years additional testing of individual wells was performed by the New Jersey Department of Health (NJDOH) and the EPA. The results of these sampling events in the Pomona Oaks subdivision indicated widespread contamination of the drinking water aquifer with organic compounds. As a result in August 1985, all 193 homes within the subdivision were connected to the Absecon water supply.

The Pomona Oaks site was formally added to the National Priorities List on June 1, 1986. In December 1986, EPA initiated a Remedial Investigation and Feasibility Study (RI/FS). The remedial investigation was designed to determine the nature, extent and source of the ground water and soil contamination at the site, which includes the Pomona Oaks subdivision, Pomona Plaza Shopping Center, and those residents downgradient of the subdivision. The RI fieldwork, conducted from October 1988 to March 1989, included a soil gas survey, subsurface soil sampling, sediment sampling, monitoring well and piezometer installation, one round of sampling from the monitoring wells, residential well sampling (outside the subdivision), aquifer slug testing, and gamma logging of wells.

The sources of contamination were not identified during the RI. There was not enough contamination present in the soil or the ground water to give an indication of its origin. Potential sources include two nearby gas stations, a local automobile salvage yard, and the now closed septic systems of the Pomona Plaza Shopping Center and the residences in the subdivision.

Data obtained during the extensive RI has shown that the ground water contamination in the Pomona Oaks

subdivision no longer exists above health risk or drinking water standard levels. On September 26, 1990, the EPA Regional Administrator, with the concurrence of the NJDEP, signed a Record of Decision for the Pomona Oaks site. The selected remedy was to take no remedial action.

This decision was based on the following facts:

- The immediate threat to the residents of the Pomona Oaks subdivision was removed by the installation of the alternate water supply in 1985;
- The RI indicated that the high concentrations of chemicals that were present during the 1982 to 1985 period had significantly decreased to below drinking water standards suggesting dispersion and/or biodegradation of contaminants over time; and
- The contamination was not present in the Pomona Oaks subdivision and, therefore, did not come from a continuous source, but most likely discrete events, such as spills.

#### (B). Basis for Intended Deletion of the Vineland State School Site

The Vineland State School, currently known as the Vineland Developmental Center (VDC), is located to the northeast of the intersection of Main Road (State Highway 555) and Landis Avenue (State Highway 56) in the City of Vineland, New Jersey. The Vineland Developmental Center is a residential treatment facility for mentally handicapped women operated by the New Jersey Department of Human Services. It has been in existence since the late 1800's. The 195 acre site is comprised of numerous buildings to house, feed, educate and care for the needs of approximately 1300 residents. Also on the grounds are administration and maintenance facilities, as well as large open fields for recreational purposes. The surrounding area is primarily residential, on land that was formerly orchards and agricultural fields.

As a result of allegations of improper disposal of hazardous materials made by VDC employees, investigations were conducted beginning in March 1980 on behalf of the New Jersey Department of Health Services (NJDOH). These investigations were carried out by the NJDEP, the City of Vineland and the EPA. The VDC site was added to the National Priorities List in September 1983. Based on the allegations by VDC employees that five separate areas of the VDC property were potential hazardous waste disposal areas, five distinct subsites were investigated within the facility.

A significant amount of investigation work prior to and during the RI performed at the VDC site. The investigative activities were performed in order to determine the nature and extent of contamination at the suspected subsites. The major investigative activities included potable well sampling, installation and sampling of monitoring wells, performing a conductivity survey, conducting exploratory excavations and collecting subsurface soil samples.

The results of these investigations failed to detect any significant contamination in four of the five subsites. Only subsite 2 was found to be contaminated to any meaningful degree. This area was remediated by the NJDEP in October 1988. The cleanup included

the removal of nearly 4,000 tons of soils contaminated with polychlorinated biphenyls (PCBs). Also, a public water supply was extended to service homes in the vicinity of the site.

In summary, although there were allegations of illegal dumping, investigations of the four other areas failed to detect any significant contamination. In fact, the risks associated with the low levels of contamination in these areas are within the acceptable range as determined by EPA and NJDEP.

In view of the above, the selected remedy in the September 30, 1989 Record of Decision (ROD) was to take no further remedial action. However, because sporadic low levels of subsurface soil contamination exist at

the site, a program to monitor groundwater and the existing disposal areas has been implemented. A review will be performed within five years to ensure that the selected remedial action provides adequate protection of human health and the environment.

Having met the deletion criteria, EPA proposes to delete this site from the NPL. EPA and the State have determined that the response actions are protective of human health and the environment.

Dated: May 14, 1996.  
William J. Muszynski,  
*Acting Regional Administrator, USEPA  
Region II.*

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