

40 CFR Part 300

[FRL-5660-4]

National Oil and Hazardous Substances Contingency Plan; National Priorities List Update**AGENCY:** Environmental Protection Agency.**ACTION:** Notice of deletion of the Omega Hills North Landfill, Germantown, Wisconsin from the National Priorities List (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Omega Hills North Landfill, Germantown, Wisconsin from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is 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. EPA and the State of Wisconsin have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no further cleanup by responsible parties is appropriate. Moreover, EPA and the State of Wisconsin have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

EFFECTIVE DATE: December 11, 1996.

ADDRESSES: The comprehensive information on the site is available at the local information repository located at: Wisconsin Department of Natural Resources, 101 S. Webster, Madison, WI 53707. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. Address for the Regional Docket Office is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

FOR FURTHER INFORMATION CONTACT: Gladys Beard, Associate Remedial Project Manager, Office of Superfund, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604, (312) 886-7253.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL list: The Omega Hills North Landfill, Germantown, Wisconsin.

A Notice of Intent to Delete for this site was published at 61 FR 32765, June 25, 1996. The closing date for comments on the Notice of Intent to Delete was July 25, 1996. EPA received no comments and therefore has not prepared a Responsiveness Summary.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it 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 actions. 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 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous Waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: November 21, 1996.
Valdas V. Adamkus,
Regional Administrator, U.S. EPA, Region 5.

40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp.; p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.; p. 193.

Appendix B—[Amended]

2. Table 1 of appendix B to part 300 is amended by removing the Omega Hills North Landfill site, Germantown, Wisconsin.

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40 CFR Parts 712 and 716

[OPPTS-82049A; FRL-5577-6]

Preliminary Assessment Information and Health and Safety Data Reporting; Stay of a Final Rule**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule; stay.

SUMMARY: EPA is staying certain provisions of a final rule which was published in the Federal Register of

October 29, 1996, which added chemical substances to two model information gathering rules: the Toxic Substances Control Act (TSCA) Section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA Section 8(d) Health and Safety Data Reporting Rule. The TSCA Interagency Testing Committee (ITC) has requested that EPA stay certain provisions in the October 29, 1996, final rule for nonylphenol ethoxylates in order to avoid ambiguities in TSCA section 8(a) and 8(d) reporting resulting from the use of alternate CAS numbers cited in the ITC's 38th report.

EFFECTIVE DATE: This rule is effective December 11, 1996.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E-543, Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551, e-mail: TSCA-Hotline@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Eighteen nonylphenol ethoxylates were recommended in the ITC's 38th Report (61 FR 39832, July 30, 1996) (FRL-5379-2). Alternate CAS registry numbers were listed for some of these nonylphenol ethoxylates. The use of alternate CAS numbers produced some ambiguities in the TSCA section 8(a) and 8(d) rules that were promulgated for the nonylphenol ethoxylates (61 FR 55872, October 29, 1996) (FRL-5397-9). The ITC re-examined these alternate CAS registry numbers and determined that 5 were not associated with any of the listed nonylphenol ethoxylates chemical names. The ITC revised the list of nonylphenol ethoxylates by providing 9th Collective Index names for all CAS-numbered nonylphenol ethoxylates, including the 5 not previously associated with a unique name. This process eliminated the need for alternate CAS registry numbers.

The ITC's 39th Report was delivered to the EPA Administrator on November 27, 1996. In its report, the ITC provided more accurate information regarding the specific CAS-numbered nonylphenol ethoxylates for which there are U.S. government data needs, and requested that EPA stay the provisions for nonylphenol ethoxylates in the Agency's October 29, 1996, final rule for these chemicals (61 FR 55872). To eliminate all ambiguities in TSCA section 8(a) and 8(d) reporting resulting from the ITC's use of alternate CAS numbers for nonylphenol ethoxylates in its 38th report, EPA is issuing this stay. In the near future, EPA will publish the