is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) which the EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. 9605, as amended. This action is being taken by the EPA, with the concurrence of the State of Louisiana, because the EPA has determined that all appropriate response actions have been implemented and remedial actions conducted at the Site to date remain protective of public health and the environment.

DATES: Comments concerning this action must be received by the EPA by October 18, 1999.

ADDRESSES: Comments may be mailed to: Ms. Janetta Coats, Community Relations Coordinator (6SF–PO), U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–7308.

Information Repositories: Comprehensive information on the Site is available at the Site information repositories at the following locations: U.S. EPA Region 6 Library (12th Floor), 1445 Ross Avenue, Dallas, Texas 75202–2733, (214) 665–6424; Louisiana Department of Environmental Quality, 7290 Bluebonnet Road, Baton Rouge, Louisiana 70809, (225) 765–0487; Ascension Parish Library, 708 S. Irma Blvd., Gonzales, LA 70737, (504) 647–3955.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen L. Tzhone, Remedial Project Manager (6SF–LP), U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, (214) 665–8409.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final action to delete notice which is located in the Rules section of this **Federal Register**.

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.

Dated: August 31, 1999.

Lynda F. Carroll,

Acting Regional Administrator, Region 6.

[FR Doc. 99–24040 Filed 9–16–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6439–8]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete the Tipton Army Airfield portion of Fort George Meade Site, located in Fort Meade, Maryland, from the National Priorities List (partial site deletion) and Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA) Region III announces its intent to delete the Tipton Army Airfield portion of the Fort George Meade Site (Site) from the National Priorities List (NPL) and requests public comment on this action.

The NPL constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the Maryland Department of Environment (MDE) have determined that all appropriate CERCLA response actions have been implemented and that no further action is appropriate. Moreover, EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning the proposed deletion of this Site from the NPL may be submitted on or before October 18, 1999.

ADDRESSES: Comments may be submitted to Nicholas J. DiNardo, (3HS13), Project Manager, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania, 19103–2029, (215) 814–3365.

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

(1) Provinces Public Library, 2624 Annapolis Road, Severn, MD 21144, Phone: (410) 222–6280.

Hours: Mondays, Tuesdays and Thursdays—1:00 p.m. to 9:00 p.m.; Wednesdays and Saturdays—9:00 a.m. to 5:00 p.m.; and Fridays—1:00 p.m. to 5:00 p.m.

(2) U.S. Army, Directorate of Public Works, Attn: ANME–PWE, Bldg. 239, 2–1/2 Street and Ross Road, Fort Meade, MD 20755, Phone: (301) 677–9648.

FOR FURTHER INFORMATION CONTACT: Nicholas J. DiNardo, (3HS13), Project Manager, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania, 19103–2029, (215) 814–3365.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. NPL Deletion Criteria
III. Deletion Procedures
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I. Introduction

The Environmental Protection Agency (EPA) Region III announces its intent to delete the Tipton Army Airfield portion of the Fort George Meade Site, located in Fort Meade, Anne Arundel County, Maryland, from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on this partial deletion. Releases on the Tipton Army Airfield portion were located at Inactive Landfill 1, Inactive Landfill 2, Inactive Landfill 3, Fire Training Area, and Helicopter Hangar Area. The Army is the DOD component and is responsible for implementing all response actions at the Fort George Meade NPL Site. In consultation with EPA and MDE, the Army has completed all required response actions at Tipton Army Airfield portion of the Fort George Meade NPL Site as detailed below.

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. Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for remedial actions if future conditions at the site warrant such action.

In a December 1998 Record of Decision (ROD), an interim remedial action decision for Tipton groundwater was made, in addition to a no further action determination for the soils in the following areas of concern:

- Helicopter Hangar Area (HHA);
- Fire Training Area (FTA); and
- Inactive Landfill No. 3 (IAL3).

In a June 1999 ROD, a final determination for Tipton groundwater, which includes continued monitoring, was made in addition to a no further action determination for the soils in the following areas of concern:

- Inactive Landfill No. 1 (IAL1); and
- Inactive Landfill No. 2 (IAL2).

EPA will accept comments on the proposal to delete this Site from the NPL for thirty calendar 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 how the Site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider, in consultation with the State, whether any of the following criteria have been met:

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

(ii) All appropriate responses under CERCLA have been implemented and no further response 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.

In addition to the above, for all remedial actions which result in hazardous substances, pollutants, or contaminants remaining at a site above levels that allow for unlimited use and unrestricted exposure, CERCLA § 121(c), 42 U.S.C. 9621(c), the NCP at 40 CFR 300.430(f)(4)(ii) and EPA's policy, OSWER Directive 9320.2–09, dated August 1995, provide that a subsequent review of a site will be conducted by the lead Agency ''no less often than'' every five years after the initiation of the first remedial action at a site to ensure that conditions at a site remain protective of public health and the environment. In the case of a site, the Army will conduct a review every 5 years to evaluate the frequency and need for continued monitoring of conditions at the Site. This is to ensure that the no further action remedies continue to provide adequate protection of human health and the environment. As explained/discussed below, the Site meets the NCP's deletion criteria listed above. Five-year reviews will continue to be conducted at the Site until no hazardous substances, pollutants, or contaminants remain above levels that allow for unlimited use and unrestricted exposure.

The NCP further specifies that releases shall not be deleted from the NPL until the State in which the release was located has concurred on the proposed deletion. 40 CFR 300.425(e)(2). All releases deleted from the NPL are eligible for further remedial actions should future conditions warrant such action. Whenever there is a significant release from a site deleted from the NPL, the site shall be restored to the NPL without application of the Hazard Ranking System. 40 CFR 300.425(e)(3).

III. Deletion Procedures

Section 300.425(e)(4) of the NCP sets forth requirements for site deletions to assure public involvement in the decision. MDE also will review this document along with all other documents in the Administrative Record and any public comment that may be received during the public comments period. During the process of proposing to delete a site from the NPL, EPA is required to conduct the following activities:

(i) Publish a notice of intent to delete in the **Federal Register** and solicit comment through a public comment period of a minimum of 30 calendar days;

(ii) Publish a notice of availability of the notice of intent to delete in a major local newspaper of general circulation at or near the release that is proposed for deletion;

(iii) Place copies of information supporting the proposed deletion in the information repository at or near the site proposed for deletion. These items shall be available for public inspection and copying; and,

(iv) Respond to each significant comment and any significant new data submitted during the comment period in a Responsiveness Summary and include this response document in the final deletion package.

If appropriate, after consideration of comments received during the public comment period, EPA will then publish a notice of final deletion in the **Federal Register** and place the final deletion package, including the Responsiveness Summary, in the Site information repositories.

Deletion of a site from the NPL does not itself create, alter, or revoke any individual's rights or obligations. As stated in Section II of this Notice, Section 300.425(e)(3) of the NCP provides that the deletion of a site from the NPL does not preclude eligibility for future response actions.

IV. Basis for Intended Site Deletion

A. Site History

The following site summary provides EPA's rationale for the proposal to delete the Tipton Army Airfield portion of the Fort George Meade Site from the NPL.

Fort George G. Meade (FGGM) is located in Fort Meade, Maryland. FGGM formerly occupied 13,596 acres of land in the northwest corner of Anne Arundel County. FGGM is a Base Closure and Realignment Act of 1988 (BRAC) parcel, located east of State Route 198 and south of Highway 32. It is bounded on the west by the Baltimore-Washington Parkway and by the Patuxent River to the south. The Amtrak railroad track right-of-way and State Route 175 form the southeast and northeast boundaries of FGGM, respectively.

The facility was authorized by Congress in 1917 as a training cantonment for troops during World War I. The U.S. Government commandeered 4,000 acres, most of which was then farm land, and named the installation Camp Meade in honor of Major General George G. Meade. In January 1941, additional training areas were added within the installation, expanding the post to 13,596 acres. During the 1940s, the facility underwent widespread growth to accommodate several regiments who moved their base of operations to FGGM, including the Second U.S. Army and the Eleventh Cavalry. Tipton Army Airfield was completed in 1963, replacing a small airstrip which had been in operation since 1928.

In 1988, the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 mandated the closure and/or realignment of approximately 9,000 acres, encompassing the southernmost two-thirds of the installation. In 1991, the Army transferred 7,600 of the 9,000 acres to the Department of the Interior's Patuxent Research Refuge (PRR), formerly known as the Patuxent Wildlife Research Center. A second land transfer of approximately 500 acres to the PRR took place in January, 1993.

Use of the Site as a military range has been documented as far back as the early 1920s. In Special Military Maps from 1923, the area, later designated as Tipton Army Airfield, was identified as an artillery impact area. A 1941 South Cantonment Map shows that two ranges were located within the future Tipton Army Airfield area; one was an anti-tank range to the west of Bullard Hill, the other was an anti-aircraft range to the east of Bullard Hill. In the summer of 1942, 81mm and 60mm mortars were used in this area for target practice. During the same timeframe, live high-explosive shells were fired over the heads of troops for training purposes.

The investigation of the Tipton Army Airfield portion of the Fort George Meade NPL Site included the following areas: Helicopter Hangar Area (HHA), Fire Training Area (FTA), Inactive Landfill #1 (IAL1), Inactive Landfill #2 (IAL2), and Inactive Landfill #3 (IAL3).

HHA includes Building 90 and adjacent areas located at the northwest corner of the airfield. The HHA is roughly bounded by the Little Patuxent River to the west, an unnamed tributary to the Little Patuxent River to the north, Patuxent Road to the east, and the helicopter parking area to the south. The HHA is located approximately 800 feet west of the FTA. The HHA covers approximately 5 acres.

During operations, the 97th Army Command performed maintenance and storage of helicopters at Hangar 90. Typical activities included washing, disassembly, repair, and painting of aircraft. In addition to the use of fuels such as aviation and diesel fuel, other materials that were typically used, handled or stored included hydraulic and lubricating oils, detergents, and solvents. Hangar 90 was cleared and taken out of service when it was decommissioned in early 1996.

The FTA is located north of Airfield Road and is about 800 feet east of the HHA. The FTA covers approximately two acres. The FTA is flat and sparsely vegetated with grass. A drainage swale and culvert were located parallel to the gate that drained to wetlands/forested area just west of the FTA. The northern half of the FTA is fenced off, enclosing the fire training pit and adjacent training areas. The area was constructed around 1979 for training purposes by the Fort Meade Fire Department. Fires were typically set inside the pit or in portable burn pans by using gasoline or aviation fuel. The fires were then extinguished with water or aqueous film-forming foam, a synthetic extinguishing agent. Other emergency response training, such as self-contained breathing apparatus training and emergency rescues, were performed at the FTA. The fire training pit was constructed of a concrete berm about one foot high and twenty feet in diameter, which was surrounded by a concrete apron. An oil-water separator located on the south side of the fire training pit was used in draining the pit. Water from the separator was transported from the site via an underground pipeline to a sanitary sewer. Both the fire training pit and the oil-water separator were removed in 1998. During the Final RI report (USACE, 1998b), contaminants from this area were shown to be restricted to the two wells nearest the FTA.

IAL3 is located on the Tipton Army Airfield parcel in the eastern portion of the runway area. According to the Enhanced Preliminary Assessment (PA) Report (USAEC, 1989), IAL3 was initially used as a sand borrow area. During the late 1940s and 1950s, the area was used as a sanitary and ''leaf-dump'' landfill. The Tipton Army Airfield was constructed over the fill area in 1963. The airfield consists of four hangars, an operations building, a fire station, taxiways and runway, and a helicopter training area. A storm water management system is located under the airfield. The site history indicates that the main disposal area was under what is now the eastern portion of the runway area. According to the Enhanced PA, during construction of the airfield in 1963, much of IAL3 was excavated and the materials were disposed of off-post. The airfield construction plans, which include both pre- and post-construction geotechnical soil boring logs, indicate that landfill materials were removed from beneath all runway construction areas for structural reasons. However, landfilled materials are still present in areas subjacent to the runways. The landfill boundary was developed based on the extent of historical operations, aerial photographs, and subsequent site investigations.

IAL1 covers 16 acres in the north-central portion of the BRAC parcel between the Little Patuxent River and Bald Eagle Drive. IAL1 is considered part of the Tipton Army Airfield parcel although it is physically separated from the airfield by the Little Patuxent River. A small concrete blockhouse, formerly used as a communications building, is present on the northwest corner of the area. This boundary was developed based on the extent of historical operations, aerial photographs, and subsequent site investigation activities.

According to the Enhanced PA report (USAEC, 1989), IAL1 was used as an unlined sanitary landfill from approximately 1950 to 1964. No information has been found indicating the types of material disposed of at this location. Select historical aerial photographs of IAL1, compiled by the USEPA (1990 and 1996), are presented in the Final RI report (USACE, 1998a). The earliest known aerial photograph (1938) shows IAL1 as a cultivated field. In subsequent aerial photographs from 1943, 1952, and 1957, IAL1 appears as an open clearing or training area, with no evidence of ground scarring or landfill activity. Landfill activities were first indicated in aerial photographs from 1963, which show barren areas and what appear to be trenches, probable debris, and mounded material presumably associated with landfill activities (USEPA, 1990). Aerial photographs since 1970 show the area as inactive. The 1963 treeline, which appears to correspond to the maximum extent of man-made activities, persists to the present. Areas of mounded materials located on the north side of IAL1, which were first observed on the 1970 photographs, also persist to the present. A possible former burial trench location, corresponding to the mounded area and an area of strong magnetic responses, was tentatively located in the northern part of IAL1.

IAL2 is located within the BRAC parcel on approximately 10 acres of land north of New Tank Road (now Wildlife Loop), approximately 450 feet north and east of the Little Patuxent River. The bulk of IAL2 is separated from the PRR by the perimeter fence which runs along New Tank Road then turns north along the western side of IAL2. A dirt access road runs north, from a locked gate in the fence, through IAL2 to Tipton Airfield. Other unnamed tracks provide access to the area between IAL2 and the Little Patuxent River. No buildings or structures are present at IAL2. This boundary was developed based on the extent of historical operations, aerial photographs, and subsequent site investigations.

Select historical aerial photographs of IAL2 from USEPA photo compilations are presented in the Final Remedial Investigation (RI) report (USACE, 1998a). IAL2 was initially operated as a soil borrow area. Large active excavations are apparent in aerial photographs from 1938 and 1943 (USEPA, 1996). By 1952, the borrow area was mostly overgrown. According to the Enhanced PA (USAEC, 1989), the area was subsequently operated as an unlined rubble disposal area. In 1957 and 1963, at its maximum extent, mounded materials and probable fill material are visible in the southern portion of the area. IAL2 was little used between 1963 and 1970, with aerial photographs showing the area being increasingly revegetated. A single north-northwest trending trench is visible along the east side of the access road in 1970 (USEPA, 1990). Continued disposal activity occurred after 1980 in the northern portion of IAL2 where graded and disturbed areas are visible in 1986. During RI fieldwork, piles of rubble material (brush, concrete and asphalt debris) which appear to be of more recent origin were observed in a marshy area on the north side of IAL2.

Several environmental investigations have been performed at FGGM since 1988, including an Enhanced PA

(USAEC, 1989), a study by the Maryland Department of Natural Resources (MDNR), an RI (USAEC, 1992a), a Site Inspection (SI) Study (USAEC, 1992b), a Draft SI Addendum (which included an Environmental Impact Statement (EIS) and a Wetland Identification Study) (USACE, 1991), an Ordnance and Explosives (OE) Removal Action (USACE, 1997), RI reports (USACE 1998a and 1998b), and sampling and data evaluation for the Defense Reutilization and Marketing Office Salvage Yard (DRMO) (USACE, 1999). The Enhanced PA includes a review of all available records related to air, soil, surface water, and groundwater, and identifies six areas of concern requiring additional investigation at FGGM: active and inactive landfills, underground storage tanks, asbestos, unexploded ordnance, surface water, and burning grounds. These reports either address totally or in part parcels of Tipton Army Airfield.

Maryland Department of Natural Resources ''MDNR'' conducted an evaluation of the 9,000-acre BRAC parcel in January 1990, which includes the Tipton area. The study describes the natural features and land uses associated with the 9,000 acres to be excessed from FGGM and discusses the degree of development of the retained land. In January 1991, a wetland identification study was prepared by RGH/CH2M Hill, Inc. to complete the study of the closure and use/reuse alternatives for the 9,000-acre parcel at FGGM (USAEC, 1994). The report describes the methods used to identify wetlands on the parcel and presents a map of wetlands distribution.

A Final EIS for the comprehensive base realignment and partial closure for FGGM and Fort Holabird was prepared by the U.S. Army Corps of Engineers, Baltimore District, in August, 1991. This report focuses on the environmental and socioeconomic impacts associated with the planned base realignment and partial closure at FGGM and Fort Holabird. The EIS covers the 9,000-acre BRAC parcel at FGGM. A Draft SI report was submitted by EA Engineering, Science and Technology (EA) in January, 1992. This report discusses conditions at the Helicopter Hangar Area (HHA), four inactive landfills (IAL1 to IAL4), the DRMO, the Fire Training Area (FTA), the Ordnance Demolition Area (ODA), underground storage tanks, and asbestos. The Final SI was submitted in October 1992 (USAEC, 1992b).

A Draft SI Addendum (SIA) report, prepared by Arthur D. Little, Inc., addresses data gaps identified in the previous SI report (USAEC, 1994a). The SIA focused on the following six areas of investigation: DRMO Salvage Yard, the FTA, the HHA, IAL2, the ODA, and Soldiers Lake. Another study, a Remedial Investigation Addendum (RIA), was conducted concurrently with the SIA (USAEC, 1993a). The results of the RIA are reported as a separate document. However, some basewide data, such as geology, general hydrogeology, and background soil concentrations, are reported in both reports. An OE Removal was conducted by Human Factors Applications, Inc. (HFA) over the Tipton Army Airfield parcel in 1996 (USACE, 1997a). With the exception of the interior areas of the inactive landfill sites and areas beneath water, all unpaved areas of the parcel were searched for potential unexploded ordnance (UXO) to a depth of four feet.

RI reports (USACE, 1998a and USACE, 1998b) of IAL1, IAL2, IAL3, the CFD, the FTA, and the HHA were prepared by ICF Kaiser. In addition, an ecological risk assessment was performed for the 9,000-acre BRAC parcel, which included data from the inactive landfills, the CFD, FTA, and HHA. RI sampling data for the DRMO (USACE, 1999) was recently approved by EPA and MDE. This RI evaluated the potential for the DRMO to act as an upgradient source for groundwater contamination in the Tipton Army Airfield area. The RI data evaluation determined that the DRMO was not impacting the groundwater at the Tipton Army Airfield. While other groundwater studies will still be conducted for separate operable units at the Fort George Meade Site and may still include the Tipton area, no other upgradient areas are suspected as sources of groundwater contamination at the Tipton Army Airfield.

B. Other Army Actions and Safety Precautions Taken in the Tipton Army Airfield Area

Past military training activities resulted in the presence of UXO at the Tipton Army Airfield parcel. The following is a list of many actions and safety precautions taken by the Army at the Site:

Ordnance Survey (1994)

The Army commissioned an ordnance survey covering all areas of the airfield to assess the extent of ordnance remaining at the Site and surrounding areas. During this survey, ordnance was searched for to a depth of six inches below the surface, and 10% of the remaining area was surveyed for ordnance to a depth of five feet. During this action, a total of 1,400 ordnance items were recovered from the Site and surrounding areas.

Ordnance Clearance (1995–1997)

The Army searched for ordnance from all accessible areas of the Site to a four-foot depth. Inactive landfill areas, wetlands, and all paved surfaces were excluded. During this action, 1,548 ordnance items were recovered, rendered safe, and disposed of. In addition, more than 33 tons of scrap (concrete, metal, and miscellaneous debris) were recovered incidental to the ordnance removal. Much of this material was recycled at local facilities.

Miscellaneous Debris Removal (Summer 1998)

Several items that were identified during previous ordnance clearance projects were recovered for disposal. Items removed included several 55-gallon drums and an old vehicle-mounted storage tank.

Ordnance Safety Measures, Inactive Landfill 3 (1998)

The Army performed ordnance survey work in and around IAL3. The safety plan for this area includes developing a long-term monitoring plan for the site. The first step in this effort was to identify the depth of soil cover over any landfill debris at this site. The Army will now develop a schedule for periodic surface sweeps of the area to ensure that no ordnance items have migrated to the surface through frost action.

Ordnance Safety Measures, Inactive Landfill 2 (1998)

IAL2, located at the southern most end of the Tipton parcel, could not be cleared of suspected ordnance because the area contains large amounts of rubble debris and is partially composed of wetlands with a shallow water table. The selected response action for this site was the installation of a passive engineering control consisting of a seven-foot high chain link fence with three-strand barbed wire surrounding the entire site. The fence ties into an existing fence along Wildlife Loop Road, and encompasses an area of 24.68 acres that will be retained by the United States as a part of FGGM. IAL2 will not be included in the Tipton parcel transfer.

Ordnance Safety Measures, Building Debris Site (1999)

The Army took additional ordnance safety measures at a 2½-acre area designated as the Building Debris Site. Because of its central location, this area has been made a priority for reuse. The

selected response action for the site is a combination of additional ordnance clearance and construction of a vehicle parking lot.

Ordnance Safety Measures, Inactive Landfill 1 (1998–1999)

The selected response action for IAL1 was a combination of ordnance clearance to a four-foot depth and construction of a safety cover. During this action, 54 ordnance items were recovered, rendered safe, and disposed of. In addition, more than 760 tons of scrap (concrete, metal, and miscellaneous debris) were recovered incidental to the ordnance removal, and recycled at local facilities. The area of IAL1 not cleared of suspected ordnance is approximately 5.5 acres. A three-foot thick safety cover has been constructed over the entire landfill.

In summary, the Army's prior response actions addressed the explosives risks related to UXO and protect human health and the environment. The specifics of the Tipton Airfield Decision Document (July, 1998), and the Decision Document Addendum (November, 1998) include the establishment and enforcement of land use restrictions, initially via the FGGM Master Plan and, subsequent to property transfer, via deed restrictions. Existing land use restrictions include a prohibition on conducting any surface or subsurface excavations, digging, well drilling, or other disturbances of soil, or below paved surfaces, without prior written approval of the U.S. Government. This approval is also required for the first four feet which was previously cleared of ordnance items. Exceptions can be made for emergency repair of existing utilities. Groundwater use at the Site is restricted for any potable or non-potable purposes except for environmental studies. Furthermore, the existing land use restrictions prohibit residential use of the property without evaluation of residential exposure risk.

C. Hazard Ranking Process

On April 1, 1997, Fort George G. Meade (FGGM) was proposed for inclusion to the National Priorities List (NPL). FGGM was added to the final NPL on July 28,1998. The initial proposal was based on a Hazard Ranking System (HRS) Score of 51.44, compiled by EPA. An HRS score of 28.5 has been determined as the cut-off point for inclusion on the NPL; thus sites scoring below that will typically not be added to the NPL. None of the areas included in this deletion proposal were used in compiling the above score. Releases at the following four areas at FGGM were evaluated by the HRS scoring team;

(1) Defense Property Disposal Office (DPDO) Salvage Yard;

(2) Post Laundry Facility (PLF);

(3) Active Sanitary Landfill (ASL); and

(4) Clean Fill Dump (CFD).

The most significant exposure pathway within the HRS Documentation Record was the observed releases to the surface water migration pathway (SWMP) from these areas. Primary contaminants of potential concern (COPCs) in the SWMP were DDT and Lindane. Atrazine was the primary COPC in the groundwater migration pathway of the HRS. New information indicates that none of the private wells in the HRS Documentation Record are currently being used for drinking water purposes (Phone record with Amanda Sigillito of Maryland Department of Environment). In addition to the COPCs identified in the offpost private wells, new and existing information (Ref. No. 25 and No. 26 in the HRS) indicates that Atrazine was detected in offpost private wells only and not attributed to the ASL (''ASL Atrazine Study'', U.S. Army Environmental Center, June 1995). Atrazine is stored and mixed at the Amtrak rail yard, which is located between the ASL and the offpost wells. Although Atrazine was not used for HRS purposes, it is likely to be attributable to sources other than the ASL.

The Army and EPA issued a Record of Decision in December, 1998 which included an interim remedy for the Tipton area groundwater, and which included a final remedy of no further action for soils at HHA, FTA, and IAL3. The Army and EPA issued a Record of Decision in June, 1999 which included no further action as a final remedy for Tipton area groundwater with continued monitoring, and no further action for soils at IAL1 and IAL2. Details of the groundwater remedies are discussed in the following sections. The RI reports provide the basis for the no further action determinations. These reports, which include the Baseline Risk Assessment, document the findings associated with the Site. These findings indicate that contaminants detected in the environment do not pose an unacceptable risk to human health and the environment as long as the land use restrictions selected and established by the Tipton Airfield Decision Document and the Decision Document Addendum remain in effect. The risk calculated under the current and reasonably anticipated future land use scenarios for the Site is within the EPA's acceptable risk range. Previously established land use restrictions focus on maintaining these land use assumptions.

The RI reports included both ecological and human health risk assessments to address the potential current and future risks posed to human health and the environment associated with the Site. The human health risk assessment was based on exposure to soil, surface water, sediment, and supplementary evaluations of groundwater. The ecological risk assessment was based on exposure to soil, sediments, and surface water. The risk assessment included estimates of the risk posed to human health and the environment assuming the continuation of the current industrial (non-residential) land use scenario, as well as risk in the absence of restrictions, or in the event of contaminant migration. The establishment of land use restrictions eliminates the exposure route to the contaminated groundwater and, therefore, protects human health and the environment. The groundwater assessment supports the continuation of these restrictions. The current land use scenario estimates the level of risk posed by Fort Meade's current use of the land. The current land use scenario is based on the assumption that the property continues in current or like use remains, remains under U.S. Government authority to enforce existing land use restrictions, and assumes that groundwater contaminant migration to off-site receptors will not occur at unacceptable levels.

The RI report for IAL3 also documents Maximum Contaminant Level (MCL) exceedances of the volatile organic compound, benzene, in groundwater sampled from well MW3–2 during two sampling rounds. Benzene has an MCL of 5.0 μg/l. The average benzene concentration detected during the two sampling events is 9.05 μg/l. The RI investigation did not reveal a likely source area. Although the average concentration of 9.05 μg/l exceeds the MCL, the risks associated with benzene in the Tipton area groundwater as a whole were relatively low. Even if the groundwater were used residentially, the benzene risks would be as follows: for a child, the Hazard Index (HI) would be 0.04; for an adult, the HI would be 0.07; and the cancer risk would be 2×10^{-6}. Therefore, it has been determined that benzene is not a risk driver for groundwater.

Health risks are based on a conservative estimate of the potential carcinogenic risk or potential to cause other health effects not related to cancer. Carcinogenic risks and non-carcinogenic risks were evaluated as part of the risk assessment; three factors

were considered: (1) Nature and extent of chemicals at the Site, (2) the pathways through which human and ecological receptors are or may be exposed to those chemicals at the Site, and (3) potential toxic effects of those chemicals.

Cancer risks are expressed as numbers reflecting the increased chance that a person will develop cancer, if he/she is directly exposed (e.g., through working at the Site) to the chemicals found in the groundwater and soil at the Site over a period of time. For example, EPA's acceptable risk range for Superfund sites is 1×10^{-4} to 1×10^{-6}, meaning there is one additional chance in ten thousand (1×10^{-4}) to one additional chance in one million (1×10^{-6}) that a person will develop cancer if exposed to a Superfund site. The risk associated with developing other health effects is expressed as a HI, which is the ratio of the existing level of exposure to contaminants at a site to an acceptable level of exposure. Below a HI of 1, adverse effects are not expected. A HI is also used to evaluate ecological risks.

An isolated detection of 2-amino-4, 6-dinitrotoluene was observed at 0.522 µg/l in well MW3–2. This compound, an explosive's degradation product, was detected at lower depths (Arundel Confining Layer) during one of two sampling rounds. This isolated detection resulted in an HI less than 1 for commercial/industrial use scenarios. 4-amino-2,6-dinitrotoluene was detected in both sampling rounds in well MW3–2. The average sample concentration is 28.6 µg/l resulting in a HI of 2 (EPA Region 3 risk-based screening concentration = 2.2 µg/l; Hazard Quotient of 1). The area-wide evaluation of groundwater concluded that the contamination was not originating from an identifiable source area within the Site, but was the result of past activities at Fort George Meade. There is no known carcinogenic risk associated with 4-amino-2,6-dinitrotoluene. The aminodinitrotoluenes (particularly 4–A–2,6–DNT) are associated with HIs greater than 1 for groundwater use by workers or residents. Because of the land use restrictions already in effect, it has been determined that no exposure pathways to the public exist due to this class of contaminants, provided that the land use restrictions are maintained. This is also true of metals, bis(2-ethylhexyl)phthalate, and acetophenone, which could contribute further to risks (both carcinogenic and noncarcinogenic) if residential receptors were ever exposed to the groundwater. In addition, a study of groundwater migration does not indicate expected migration of these chemicals to off-post residential wells above unacceptable concentrations. Given the relatively low concentrations of the aminodinitrotoluenes, the lack of a known carcinogenic risk relating to this class of contaminants, the lack of an identifiable source of these contaminants within the Site, and the lack of an exposure route, it has been determined that no active groundwater remediation is required.

Because of the RI findings, the Army and EPA determined that every two years after the date of the June 1999 ROD, groundwater will be sampled from certain wells. Monitoring results will be provided to EPA, MDE, and the Army. In addition, the Tipton area will be inspected to assure compliance with the land use restrictions. A review every 5 years will be conducted to evaluate the frequency and need for continued monitoring. This is to ensure that the remedies continue to provide adequate protection to human health and the environment. The five year reviews will be conducted pursuant to OSWER Directive 9355.7–02. ''Structure and Components of Five-Year Reviews,'' and/or other applicable guidance.

The remedies selected for this Site will be implemented in accordance with the two Records of Decision. Human health threats and potential environmental impacts have been reduced to acceptable levels. EPA and the MDE, therefore, find that the remedies implemented will provide adequate protection to human health and the environment.

EPA, with the concurrence of MDE, believes that the criteria for deletion of the Tipton Army Airfield portion of the Fort George Meade Site have been met. Therefore, EPA is proposing deletion of the Tipton Army Airfield portion of the Fort George Meade Site from the NPL.

Dated: September 10, 1999.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

[HCFA–1086–N]

Medicare Program; Meetings of the Negotiated Rulemaking Committee on the Ambulance Fee Schedule

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of meetings.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces the dates and locations for the sixth and seventh meetings of the Negotiated Rulemaking Committee on the Ambulance Fee Schedule. This meeting is open to the public.

The purpose of this committee is to develop a proposed rule that would establish a fee schedule for the payment of ambulance services under the Medicare program through negotiated rulemaking, as mandated by section 4531(b) of the Balanced Budget Act (BBA '97) of 1997.

DATES: The sixth meeting is scheduled for October 4, 1999 from 9:00 a.m. until 5 p.m. and October 5, 1999 from 8:30 a.m. until 4 p.m. E.S.T. The seventh meeting is scheduled for December 6, 1999 from 9 a.m. until 5 p.m., December 7, 1999 from 9 a.m. until 5 p.m., and December 8, 1999 from 8:30 a.m. until 4 p.m.

ADDRESSES: The 2-day October meeting will be held at Turf Valley Hotel, 2700 Turf Road, Ellicott City, Maryland 21042; (410) 465–1500. The 3-day December meeting will be held at Doyle's Hotel, 1500 New Hampshire Avenue, N.W., Washington, D.C. 20036; (202) 483–6000.

FOR FURTHER INFORMATION CONTACT: Inquiries regarding these meetings should be addressed to Bob Niemann ((410) 786–4569) or Margot Blige ((410) 786-4642) for general issues related to ambulance services or to Lynn Sylvester, ((202) 606–9140) or Elayne Tempel, ((207) 780–3408) facilitators.

SUPPLEMENTARY INFORMATION: Section 4531(b)(2) of the Balanced Budget Act of 1997 (BBA '97), Public Law 105–33, added a new section 1834(l) to the Social Security Act (the Act). Section 1834(l) of the Act mandates implementation, by January 1, 2000, of a national fee schedule for payment of ambulance services furnished under Medicare Part B. The fee schedule is to be established through negotiated rulemaking. Section 4531(b)(2) also provides that in establishing such fee schedule, the Secretary will—

- Establish mechanisms to control increases in expenditures for ambulance services under Part B of the program;
- Establish definitions for ambulance services that link payments to the type of services furnished;
- Consider appropriate regional and operational differences;
- Consider adjustments to payment rates to account for inflation and other relevant factors; and