

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 247

[RCRA-2003-0005; FRL-7624-7]

RIN 2050-AE23

Comprehensive Procurement Guideline V for Procurement of Products Containing Recovered Materials; Reopening of Comment Period

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is reopening the comment period for the proposed rule entitled "Comprehensive Procurement Guideline V for Procurement of Products Containing Recovered Materials," (CPG V) which appeared in the **Federal Register** on December 10, 2003 (68 FR 68813). The initial public comment period for this proposed rule ended on February 9, 2004. The purpose of this notice is to reopen the comment period to end on March 19, 2004.

DATES: EPA will accept public comments on the CPG V proposed rule until March 19, 2004.

ADDRESSES: Comments may be submitted by mail to: OSWER Docket, EPA Docket Center, Environmental Protection Agency, Mailcode: 5305T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. RCRA-2003-0005. Comments may also be submitted electronically or through hand delivery/courier; follow the detailed instructions as provided below in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For general information on the CPG V proposed rule, contact the RCRA Call Center at (800) 424-9346 or TDD (800) 553-7672 (hearing impaired). In the Washington, DC, metropolitan area, call (703) 412-9810 or TDD (703) 412-3323. For more detailed information on specific aspects of the CPG V proposed rule, contact Sue Nogas at (703) 308-0199.

SUPPLEMENTARY INFORMATION: This document reopens the public comment period established in the **Federal Register** for the CPG V proposed rule, which was issued on December 10, 2003 (68 FR 68813). In that document, EPA proposed to revise the current compost designation to include compost made from manure or biosolids and to

designate fertilizers made from recovered organic materials. EPA also proposed to consolidate all compost designations under one item called "compost made from recovered organic materials." During the initial public comment period, which ended on February 9, 2004, EPA received a request to extend the comment period of the CPG V proposed rule by 30 days. A copy of this request has been placed in the EPA Docket for the CPG V proposed rule. Since the initial public comment period has already ended, EPA is reopening, rather than extending, the comment period for 30 days. EPA is hereby reopening the CPG V proposed rule comment period, which will end on March 19, 2004.

In the notices section of today's **Federal Register**, EPA is also reopening the comment period of a related document published in the **Federal Register** on December 10, 2003 (68 FR 68919), the "Recovered Materials Advisory Notice V."

How and to Whom Do I Submit Comments on the CPG V Proposed Rule?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. However, late comments may be considered if time permits.

Electronically

If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD-ROM you submit, and in any cover letter accompanying the disk or CD-ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your

comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

EPA Dockets. Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket>, and follow the online instructions for submitting comments. To access EPA's electronic public docket from the EPA Internet Home Page, select "Information Sources," "Dockets," and "EPA Dockets." Once in the system, select "search," and then key in Docket ID No. RCRA-2003-0005. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

E-mail. Comments may be sent by electronic mail (e-mail) to rcra-docket@epa.gov, Attention Docket ID No. RCRA-2003-0005. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Disk or CD-ROM. You may submit comments on a disk or CD-ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

By Mail

Send your comments to: OSWER Docket, EPA Docket Center, Environmental Protection Agency, Mailcode: 5305T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. RCRA-2003-0005.

By Hand Delivery or Courier

Deliver your comments to: EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., NW., Washington, DC. Attention Docket ID No. RCRA-2003-0005. Such deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays).

Dated: February 10, 2004.

Robert Springer,

Director, Office of Solid Waste.

[FR Doc. 04-3449 Filed 2-17-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-7624-1]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Florence Land Recontouring Landfill Superfund Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region II Office announces its intent to delete the Florence Land Recontouring Landfill Superfund Site (Site) from the National Priorities List (NPL) and requests public comment on this action. Within the NPL, this Site is listed as being located in the Township of Florence. However, portions of the Site are also located in the Townships of Mansfield and Springfield, Burlington County, New Jersey. The NPL constitutes appendix B to 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) of 1980, as amended. EPA and the State of New Jersey, through the Department of Environmental Protection (NJDEP), have determined that all appropriate remedial actions have been implemented at the Site and no further fund-financed remedial action is appropriate under CERCLA. Moreover, EPA and NJDEP have determined that the Site poses no significant threat to public health or the environment.

DATES: The EPA will accept comments concerning its proposal for deletion until March 19, 2004.

ADDRESSES: Comments should be mailed to: Mark Austin, Remedial Project Manager, New Jersey Remediation Branch, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, 290 Broadway, 19th Floor, New York, New York 10007-1866.

Comprehensive information on the Site is contained in the Administrative

Record and is available for viewing by appointment only at: U.S. EPA Records Center, 290 Broadway, Room 1828, New York, New York 10007-1866. Hours: 9 a.m. to 5 p.m.—Monday through Friday. Contact the Records Center at (212) 637-4308.

Information on the Site is also available for viewing at the Information Repository located at: Florence Township Library, 1350 Hornberger Ave, Roebling, New Jersey 08554, (609) 499-0143.

FOR FURTHER INFORMATION CONTACT: Mark Austin, Remedial Project Manager, U.S. EPA, Region II, 290 Broadway, 19th Floor, New York, New York 10007-1866, phone: (212) 637-3954; fax: (212) 637-4429; e-mail: austin.mark@epa.gov.

SUPPLEMENTARY INFORMATION:

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I. Introduction

The United States Environmental Protection Agency (EPA) Region II announces its intent to delete the Florence Land Recontouring Landfill Superfund Site (Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B to 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) of 1980, as amended. The NPL is a list maintained by EPA of Sites that EPA has determined to present a significant risk to public health or the environment. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund (Fund).

The Site is located on Cedar Lane, in the townships of Florence, Mansfield and Springfield, Burlington County, New Jersey. The property encompasses approximately 60 acres. Out of the 60 acres, the area which contains the actual landfilled wastes is 29 acres. Florence Land Recontouring, Inc. operated the Site from 1973 to 1981. The Site was utilized as a solid waste landfill to accept sanitary and industrial (non-chemical) waste, including septage and sewage sludge.

At the Site, a Remedial Investigation and Feasibility Study (RI/FS) was conducted by an engineering consulting firm under the direction of the NJDEP. EPA, along with the NJDEP, selected and implemented the remedy. The

NJDEP approved an operation and maintenance plan and currently implements it.

EPA will accept comments concerning its intent to delete this Site for thirty (30) days after publication of this notice in the **Federal Register** and a newspaper of record.

II. NPL Deletion Criteria

The NCP established 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, in consultation with the NJDEP, will consider whether any of the following criteria have been met:

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

(ii) All appropriate Fund-financed 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 to the environment and, therefore, taking remedial measures is not appropriate.

EPA will not conduct any further activities at this Site because EPA believes that the Site poses no significant threat to public health or to the environment. If new information becomes available which indicates the need for further action, EPA may initiate such actions under § 300.425(e)(3) of the NCP. Pursuant to 40 CFR 300.425(e) of the NCP, any site or portion of a site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

III. Deletion Procedures

The following procedures were used for the intended deletion of this Site:

1. The Site was listed on the NPL in September 1984 based on investigations by NJDEP and the County of Burlington, New Jersey.

2. During 1985 and 1986, a Remedial Investigation and Feasibility Study (RI/FS) was conducted by Black and Veatch, an engineering consulting firm under the direction of the NJDEP, to characterize and evaluate Site contamination. NJDEP is the lead Agency for this site and EPA is the support Agency.

3. EPA issued a comprehensive Record of Decision (ROD) for the site on June 27, 1986.