

Connecticut Department of Public Health, Drinking Water Section, 410 Capital Avenue, Hartford, CT 06134  
New Hampshire Department of Environmental Services, Drinking Water and Groundwater Bureau, 29 Hazen Drive, Concord, NH 03302–0095

**FOR FURTHER INFORMATION CONTACT:** Jeri Weiss, U.S. EPA-New England, Water Division, telephone (617) 918–1568.

**SUPPLEMENTARY INFORMATION:** The Commonwealth of Massachusetts has adopted a drinking water regulation for the Arsenic Rule (66 FR 6976) promulgated on January 22, 2001. After review of documentation submitted by the Commonwealth, the Environmental Protection Agency (EPA) has determined that the Commonwealth's Arsenic Rule is no less stringent than the corresponding federal regulation, with the understanding that the Commonwealth's regulation includes a typographical error that the Commonwealth has agreed to correct. EPA considers this issue to be minor and believes it should not preclude granting the Commonwealth primacy for the reasons detailed below.

The Commonwealth of Massachusetts revised its Drinking Water Regulations for Arsenic promulgated at 310 CMR 22.06, 310 CMR 22.07A, and 310 CMR 22.07B effective December 6, 2002. Under federal regulations, the arsenic Maximum Contaminant Level (MCL) is 0.01 mg/l. The Commonwealth's regulation contains the correct value for the arsenic MCL. However, there is a typographical error in the Commonwealth's public notice requirements at 310 CMR 22.16 Table 7.C., *Standard Health Effects Language for Public Notification*. In that table, the Commonwealth erroneously lists the MCL for arsenic as 0.05 mg/l when it should read 0.01 mg/l. MCL. Despite the typographical error, the Commonwealth issues reports based on exceedances of the correct value for the arsenic MCL. The Commonwealth has indicated that it will correct the typographical error in its upcoming regulatory revision later this year. Therefore, EPA intends to approve the Commonwealth's PWSS program revision for its Arsenic rule.

The State of Connecticut has adopted a drinking water regulation for the Consumer Confidence Report Rule (63 FR 44511) promulgated on August 19, 1998, the Interim Enhanced Surface Water Treatment Rule (63 FR 69478–69521) promulgated on December 16, 1998, and the Long Term 1 Enhanced Surface Water Treatment Rule (67 FR 1812) promulgated on January 14, 2002.

After review of the documentation submitted by the State, EPA has determined that the State of Connecticut's regulation for these three drinking water rules is no less stringent than the corresponding federal regulations. EPA intends to approve Connecticut's PWSS program revision for these three rules.

The State of New Hampshire has adopted a drinking water regulation for the Arsenic Rule (66 FR 6976) promulgated on January 22, 2001. After review of the documentation submitted by the State, EPA has determined that the state of New Hampshire's rule is no less stringent than the corresponding federal regulation. EPA's primary enforcement responsibility regulations require states that accept electronic documents from public water systems to have adopted regulations consistent with 40 CFR part 3 (electronic reporting). New Hampshire accepts electronic documents and is in the process of completing elements of its electronic reporting program that will supplement the State's already existing legal authority under the State's Uniform Electronic Transactions Act. Therefore, EPA intends to approve New Hampshire's PWSS program revision for its Arsenic rule.

(Authority: Section 1401 (42 U.S.C 300f) and Section 1413 (42 U.S.C 300g–2) of the Safe Drinking Water Act, as amended (1996), and (40 CFR 142.10) of the National Primary Drinking Water Regulations)

Dated: July 27, 2020.

**Dennis Deziel,**

*Regional Administrator, EPA Region 1—New England.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL 10010–80–Region 3]

### Notice of Administrative Settlement Agreement in Connection With the J.H. & C.K. Eagle Mill (Kulpmont) Site, Kulpmont, Northumberland County, Pennsylvania

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice; request for public comment.

In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), notice is hereby given that a proposed administrative settlement agreement for recovery of

response costs (“Proposed Agreement”) associated with the J.H. & C.K. Eagle Mill (Kulpmont) Site in Kulpmont, Northumberland County, Pennsylvania (“Site”) was executed by the Environmental Protection Agency (“EPA”) and is now subject to public comment, after which EPA may modify or withdraw its consent if comments received disclose facts or considerations that indicate that the Proposed Agreement is inappropriate, improper, or inadequate. The Proposed Agreement would resolve potential EPA claims under Section 107(a) of CERCLA, against PAD Kulpmont LLC (“Settling Party”). The Proposed Agreement would require Settling Party to sell the Site property and pay EPA 80 percent of the sales proceeds.

For thirty (30) days following the date of publication of this notice, EPA will receive electronic comments relating to the Proposed Agreement. EPA's response to any comments received will be available for public inspection by request. Please see the **ADDRESSES** section of this notice for special instructions in effect due to impacts related to the COVID–19 pandemic.

**DATES:** Comments must be submitted electronically on or before September 2, 2020.

**ADDRESSES:** As a result of impacts related to the COVID–19 pandemic, requests for documents and submission of comments must be via electronic mail except as provided below. The Proposed Agreement and additional background information relating to the Proposed Agreement are available for public inspection upon request by contacting EPA Senior Assistant Regional Counsel Andrew S. Goldman at [goldman.andrew@epa.gov](mailto:goldman.andrew@epa.gov). Comments must be submitted via electronic mail to this same email address and should reference the “J.H. & C.K. Eagle Mill (Kulpmont) Site, Proposed Settlement Agreement” and “EPA CERCLA Docket No. CERC–03–2020–0080CR.” Persons without access to electronic mail may call Mr. Goldman at (215) 814–2487 to make alternative arrangements.

**FOR FURTHER INFORMATION CONTACT:** Andrew S. Goldman at EPA by phone ((215) 814–2487) or email ([Goldman.andrew@epa.gov](mailto:Goldman.andrew@epa.gov)).

Dated: June 16, 2020.

**Paul Leonard,**

*Director, Superfund & Emergency Management Division, Region III.*

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