§ 111.4 [Removed and Reserved]

Joshua J. Hofer, Attorney, Federal Compliance.

[FR Doc. 2020–19315 Filed 9–29–20; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300


Deletions From the National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of eight sites and the partial deletion of nine sites from the Superfund National Priorities List (NPL). The NPL, created under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the states, through their designated state agencies, have determined that all appropriate response actions under CERCLA, other than operation and maintenance, testing, and five-year reviews, where applicable, have been completed. However, this deletion does not preclude future actions under Superfund.

DATES: The document is effective on September 30, 2020.

ADDRESSES: Docket: EPA has established a docket for this action under the Docket Identification included in Table 1 in the

Table 1 to § 111.3—Domestic Mail Manual

<table>
<thead>
<tr>
<th>Transmittal letter for issue</th>
<th>Dated</th>
<th>Federal Register publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>* * * * * * * * * * * * * *</td>
<td>July 1, 2020</td>
<td>[INSERT Federal Register CITATION FOR THIS RULE]</td>
</tr>
</tbody>
</table>

§ 111.4 [Removed and Reserved]

5. Remove and reserve § 111.4.

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The EPA continues to carefully and continuously monitor information from the Centers for Disease Control and Prevention (CDC), local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID.

For further information contact:

Robert Lim, U.S. EPA Region 1 (CT, ME, MA, NH, RI, VT), lim.robert@epa.gov, 617/918–1392.

Mabel Garcia, U.S. EPA Region 2 (NY, NY, PR, VI), garcia.mabel@epa.gov, 212/637–4356.

Andrew Hass, U.S. EPA Region 3 (DE, DC, MD, PA, VA, WV), hass.andrew@epa.gov, 215/814–2049.

Deborah Cox or Brian Farrier, U.S. EPA Region 4 (AL, FL, GA, KY, MS, NC, SC, TN), cox.deborah@epa.gov or farrier.brian@epa.gov, 404/562–8317 or 404/562–8952.

Karen Cibulskis, U.S. EPA Region 5 (IL, IN, MI, MN, OH, WI), cibulskis.karen@epa.gov, 312/886–1843.

Brian Mueller, U.S. EPA Region 6 (AR, LA, NM, OK, TX), mueller.brian@epa.gov, 214/665–7167.

David Wennerstrom, U.S. EPA Region 7 (IA, KS, MO, NE), wennerstrom.david@epa.gov, 913/551–7996.

Linda Kiefer, U.S. EPA Region 8 (CO, MT, ND, SD, UT, WY), kiefer.linda@epa.gov, 303/312–6689.

Eric Canteenwala, U.S. EPA Region 9 (AZ, CA, HI, NV, AS, GU, MP), Canteenwala.eric@epa.gov, 415/972–3932.

Jeremy Jennings, U.S. EPA Region 10 (AK, ID, OR, WA), jennings.jeremy@epa.gov, 206/553–2724.

Chuck Sands, U.S. EPA Headquarters, sands.charles@epa.gov, 703/603–8857.
The NCP permits activities to occur at a deleted site or that media or parcel of a partially deleted site, including operation and maintenance of the remedy, monitoring, and five-year reviews. These activities for the site are entered in Table 2 and 3 in this **SUPPLEMENTARY INFORMATION** section, if applicable, under Footnote such that: 1= site has continued operation and maintenance of the remedy, 2= site receives continued monitoring, and 3= site five-year reviews are conducted.

The EPA received comments on three of the sites included for deletion in this final rule. For the Fridley Commons Park Well Field site, the closing date for comments on the Notice of Intent to Delete was July 23, 2020. One public comment was received which was not related to the deletion of the site from the NPL and EPA still believes the deletion action is appropriate. The comment and a memorandum documenting receipt of the comment were prepared and placed in the docket, EPA–HQ–SFUND–1999–0013, on the Regulatory Information System (http://www.regulations.gov), and in the Regional repository listed in the **ADDRESSES** section.

For the Jasco Chemical Corp. site, the closing date for comments on the Notice of Intent to Delete was June 25, 2020. Eight public comments were received. Commenters were concerned with a nearby unrelated chemical plume and exposure to construction workers and future residents of an apartment complex under construction at the site. Potential risks to workers and future residents at the Jasco site are being managed independently of the CERCLA cleanup process. There is a Covenant and Environmental Restriction on Property, or deed restriction, on the Jasco property which requires the use of the site, and to ensure soil and groundwater is managed according to a soil management plan that prevents any human exposure. The plan ensures continued sampling of site soil and groundwater, as it is transported offsite, to assure protection of human health and environment. A vapor migration system will be installed under the building and confirmatory pre-occupancy indoor air sampling to verify the efficacy of the system. EPA has determined that it is appropriate to proceed with the deletion because all response actions at the Jasco site are complete and the criteria for deletion have been met. A responsiveness summary was prepared and placed in the docket, EPA–HQ–SFUND–1989–0011, on the Regulatory Information System (http://www.regulations.gov), and in the Regional repository listed in the **ADDRESSES** section.

For the Northside Landfill site, the closing date for comments on the Notice
of Intent to Delete was August 13, 2020. Two public comments were received. One commenter was concerned that EPA make decisions using good science and hard data. Such decision-making is documented in reports included in the deletion docket. The other commenter was concerned about the future use of the landfill property, particularly residential or commercial redevelopment. The site has an Environmental Covenant which restricts future uses of the site. The limitations prohibit any activity that would damage or disturb the integrity of the landfill cap which include any drilling, digging, excavation or placement of objects or equipment which would stress or deform the surface. Any future land use would need to be consistent with the Environmental Covenant. EPA still believes the deletion action is appropriate. A responsiveness summary was prepared and placed in the docket, EPA–HQ–SFUND–1986–0005, on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section. For all other sites not specified above, no adverse comments were received. The sites to be partially deleted from the NPL are included in Table 3 as follows:

<table>
<thead>
<tr>
<th>Site name</th>
<th>Date, proposed rule</th>
<th>FR citation</th>
<th>Public comment</th>
<th>RS</th>
<th>Footnote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anaconda Co. Smelter</td>
<td>8/10/2020</td>
<td>85 FR 48132</td>
<td>No</td>
<td>No</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Douglass Road/Uniroyal, Inc., Landfill</td>
<td>6/23/2020</td>
<td>85 FR 37617</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Fort Wayne Reduction Dump</td>
<td>7/16/2020</td>
<td>85 FR 43191</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Industri-Plex</td>
<td>7/15/2020</td>
<td>85 FR 42809</td>
<td>No</td>
<td>No</td>
<td>2, 3</td>
</tr>
<tr>
<td>Macalloy Corporation</td>
<td>7/27/2020</td>
<td>85 FR 45155</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Queen City Farms</td>
<td>7/14/2020</td>
<td>85 FR 42343</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Redstone Arsenal (USARMY/NASA)</td>
<td>7/22/2020</td>
<td>85 FR 44259</td>
<td>No</td>
<td>No</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>Southeast Rockford Gd Wtr Contamination</td>
<td>6/23/2020</td>
<td>85 FR 37615</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
<tr>
<td>U.S. Smelter &amp; Lead Refining Inc</td>
<td>7/8/2020</td>
<td>85 FR 40959</td>
<td>Yes</td>
<td>Yes</td>
<td>1, 2, 3</td>
</tr>
</tbody>
</table>

The area and media of each Superfund site partial deletion is specified in the applicable proposed rule cited in Table 3 in this SUPPLEMENTARY INFORMATION section. All other Superfund site areas and media will remain on the NPL and are not being considered for deletion as part of this action.

The EPA received comments on six of the sites included for partial deletion in this rule. For the Douglass Road/Uniroyal, Inc., Landfill site, the closing date for comments on the Notice of Intent to Partially Delete was July 23, 2020. Three public comments were received. One comment from a resident in a nearby area expressed concern that the site is contaminating their well water and a nearby lake; the resident requested that the well water be tested. EPA and the state do not believe this area to be contaminated as explained to the commenter, and the state and county have offered to conduct sampling of the well. EPA also received one comment with property ownership records for Operable Unit 1, which EPA added to the deletion docket and site file. The City of Mishawaka commented and was concerned that deleting the Landfill Cap Area portion of the site from the NPL meant that the landfill gas control system would be shut down. The active landfill gas control system at the site, as well as other operation and maintenance activities, will continue after the partial deletion. The City also wanted to confirm that given the remaining levels of groundwater contamination at the site, all future development in the area will need to remain on municipal water. EPA confirmed that the groundwater portion of the site would remain on the NPL and future development in the area will likely need to remain on municipal water. EPA still believes the deletion action is appropriate. A responsiveness summary was prepared and placed in the docket, EPA–HQ–SFUND–1986–0005 on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section.

For the Queen City Farms site, the closing date for comments on the Notice of Intent to Partially Delete was August 17, 2020. Two public comments were received. One comment was from a resident who thought inspections, maintenance and monitoring would be discontinued after the partial deletion. These activities will continue, as described in materials contained in the deletion docket. One public comment was received which was not related to the deletion of the site from the NPL. EPA still believes the deletion action is appropriate. A responsiveness summary was prepared and placed in the docket, EPA–HQ–SFUND–2000–0006, on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section.

For the Macalloy Corporation site, the closing date for comments on the Notice of Intent to Partially Delete was August 26, 2020. One public comment was received stating if pollutants were found during a five-year review of the site, there should be joint and several liability on any party found responsible for creating this pollution retroactively and groundwater should be monitored. EPA has a Consent Decree with the potentially responsible party group to conduct the response and groundwater is being monitored as part of the five-year review. EPA still believes the deletion action is appropriate. A responsiveness summary was prepared and placed in the docket, EPA–HQ–SFUND–1986–0005, on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section.
For the Southeast Rockford Ground Water Contamination site (NPL listing is Southeast Rockford Gd Wtr Contamination site), the closing date for comments on the Notice of Intent to Partially Delete was July 23, 2020. One public comment was received which was not related to the deletion of the site from the NPL and EPA still believes the deletion action is appropriate. The comment and a memorandum documenting receipt of the comment were prepared and placed in the docket EPA–HQ–SFUND–1989–0008 on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section.

For the U.S. Smelter & Lead Refining Inc. site, the closing date for comments on the Notice of Intent to Partially Delete was August 7, 2020. EPA received written or verbal public comments from the East Chicago Calumet Coalition and four individuals. EPA also received telephone calls during the comment period from four area residents requesting additional information about the partial deletion and their specific properties; however, three of the callers verbally expressed support for EPA’s proposal to delete their properties from the NPL. EPA still believes the deletion action is appropriate. A responsiveness summary was prepared and placed in the docket EPA–HQ–SFUND–2008–0577, on https://www.regulations.gov, and in the Regional repository listed in the ADDRESSES section.

For all other sites not specified above, no adverse comments were received.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of a site from the NPL does not affect responsible party liability in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

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


Dana Stalcup,
Acting Office Director, Office of Superfund Remediation and Technology Innovation.

For reasons set out in the preamble, 40 CFR part 300 is amended as follows:

### TABLE 1—GENERAL SUPERFUND SECTION

<table>
<thead>
<tr>
<th>State</th>
<th>Site name</th>
<th>City/county</th>
<th>Notes (a)</th>
</tr>
</thead>
<tbody>
<tr>
<td>IL</td>
<td>Southeast Rockford Gd Wtr Contamination</td>
<td>Rockford</td>
<td>P</td>
</tr>
<tr>
<td>IN</td>
<td>Douglass Road/Uniroyal, Inc., Landfill</td>
<td>Mishawaka</td>
<td>P</td>
</tr>
<tr>
<td>IN</td>
<td>Fort Wayne Reduction Dump</td>
<td>Fort Wayne</td>
<td>P</td>
</tr>
<tr>
<td>IN</td>
<td>U.S. Smelter &amp; Lead Refining Inc</td>
<td>East Chicago</td>
<td>P</td>
</tr>
<tr>
<td>MA</td>
<td>Industri-Plex</td>
<td>Woburn</td>
<td>P</td>
</tr>
<tr>
<td>MT</td>
<td>Anaconda Co. Smelter</td>
<td>Anaconda</td>
<td>P</td>
</tr>
</tbody>
</table>

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

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


2. Amend Appendix B to part 300 by:


c. In Table 2 revise the entry for “AL”, “Redstone Arsenal (USARMY/NASA)”, “Huntsville”.

The revisions read as follows:

Appendix B to Part 300—National Priorities List
DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Section 4(d) Rule for Trispot Darter

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), adopt a rule under section 4(d) of the Endangered Species Act of 1973 (Act), as amended, for the trispot darter (Etheostoma trisella), a fish from Alabama, Georgia, and Tennessee. This rule provides measures that are necessary and advisable to conserve the species.

DATES: This rule is effective October 30, 2020.

Fish and Wildlife Service

50 CFR Part 17

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ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), adopt a rule under section 4(d) of the Endangered Species Act of 1973 (Act), as amended, for the trispot darter (Etheostoma trisella), a fish from Alabama, Georgia, and Tennessee. This rule provides measures that are necessary and advisable to conserve the species. For a full summary of species information, please refer to the October 4, 2017, proposed listing rule (82 FR 46183) and the species status assessment (SSA) report for the trispot darter (Service 2018, entire). Both documents are available at http://www.regulations.gov under Docket No. FWS–R4–ES–2018–0063, and on the Service’s South Atlantic-Gulf Region website at https://www.fws.gov/southeast/.

BACKGROUND

The trispot darter is a small-bodied, freshwater fish found in the Coosa River System, above the fall line in the Ridge and Valley of Alabama, Georgia, and Tennessee. It is a migratory species that uses distinct breeding and nonbreeding habitats. From approximately April to October, the species inhabits its nonbreeding habitat, which consists of small to medium river margins and lower reaches of tributaries with slower velocities. After October, trispot darters move from the main channels into tributaries, eventually reaching adjacent seepage areas where they congregate and remain for the duration of spawning, until approximately late April. Breeding sites are intermittent seepage areas and ditches with little to no flow and shallow depths (12 inches (30 centimeters) or less).

SUMMARY OF CHANGES FROM THE PROPOSED RULE

This final rule incorporates one change to our proposed rule based on the comments we received. Specifically, we replaced the term “highest-standard best management practices” with the term “State best management practices.” In addition, in this rule, we change the way in which the provisions of the 4(d) rule for the trispot darter appear in 50 CFR 17.44 from what we proposed; here, we do not refer to the prohibitions and provisions set forth in section 9(a)(1) of the Act. Instead, we refer to the prohibitions set forth at 50 CFR 17.21, which apply to endangered species. However, the substance of the prohibitions, and exceptions to those prohibitions, in the 4(d) rule for the trispot darter have not changed.

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