

Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. 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 financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) 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 the history of this site and explains how the site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

## 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, U.S. 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; 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 the environment and, therefore, remedial measures are not appropriate.

## III. Deletion Procedures

Upon determination that at least one of the criteria described in 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This Federal Register notice, and a concurrent notice in the

local newspaper in the vicinity of the Site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines the deletion from the NPL is appropriate, final notice of deletion will be published in the Federal Register.

## IV. Basis for Intended Site Deletion

The St. August Landfill/Engen Dump is located in the northeast quarter of Section 12, T123N, R28W, and the northwest quarter 7, T123N, R27W of St. Augusta Township, Stearns County, Minnesota. The site is bounded by the Mississippi River on the northeast, Johnson Creek on the southeast, Interstate Highway 94 on the west, and privately owned land to the south and the north.

The Engen Dump consists of two areas approximately 11 acres and 8 acres in size. The St. Augusta Landfill is approximately 16 acres in size. A borrow pit that was used to provide cover material for the St. Augusta Landfill is located on the northern side of the landfill.

Landfilling operations were conducted at the dump and landfill between 1966 and 1982. The site was the primary waste disposal site for the St. Cloud area during this time. The Engen Dump began to receive municipal, commercial, and industrial wastes in 1966. The industrial wastes disposed of at the dump consisted of ground glass, solids and sledges, paper pulp waste, ash, and small amounts of cutting oils, coolants, solvents, paints, and cleaning compounds. The dump was phased out of operation between 1971 and 1972 and portions of the dump were covered with on-site soils.

In June of 1985, the site was given a score of 34 under the Superfund program hazard ranking system score. The site was proposed for the Federal National Priorities (NPL) on September 8, 1985. The listing was finalized in July 22, 1987, 52 FR 140.

A September 1992 Groundwater Operable Unit Remedial Investigation/Feasibility Study (RI/FS) was prepared

to fulfill the requirements of the Request for Response Action (RFRA) issued by the Minnesota Pollution Control Agency (MPCA) in 1993. The recommended remedial action under the RFRA for addressing site contamination was no further action. A no further response action was chosen for the Site because a Closure Plan was prepared and executed for the landfill as part of the Solid Waste Disposal Facility Permit (SW-35) issued by MPCA. No final Record of Decision (ROD) was issued on the Site.

In 1994, the Legislature of the State of Minnesota enacted the Landfill Cleanup Law, Minn. Laws 1994, ch. 639, codified at Minn. Stat. §§ 115B.39 to 115B.46 (the Act), authorizing the Commissioner of the Minnesota Pollution Control Agency (MPCA) to assume responsibility for future environmental response actions at qualified landfills that have received notices of compliance from the Commissioner of MPCA. Additionally, the Act established funds to enable the MPCA to perform all necessary response, operation and maintenance at such landfills. At sites where no responsible parties are conducting response actions under CERCLA, MPCA is responsible for issuing a notice of compliance, after it determines that all work that could be expected under a state order or under state closure requirements, has been completed.

A notice of compliance was issued by MPCA for the St. August Landfill/Engen Dump Site on May 8, 1995. MPCA has since assumed all responsibility for the St. August Landfill/Engen Dump under the Act. Therefore, no further response actions under CERCLA are appropriate at this time. Consequently, U.S. EPA proposes to delete the site from the NPL.

EPA, with concurrence from the State of Minnesota, has determined that all appropriate Fund-financed responses under CERCLA at the St. August Landfill/Engen Dump Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and environment. Therefore, EPA proposes to delete the site from the NPL.

Dated: June 17, 1996.

David A. Ullrich,

*Acting Regional Administrator, U.S. EPA, Region V.*

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**40 CFR Part 300****[FRL-5538-8]****National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of intent to delete McChord Air Force Base Washrack Treatment Area from the National Priorities List Update: Request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the McChord Air Force Base Washrack Treatment Area (Washrack Treatment Area) Site from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 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 Washington Department of Ecology (Ecology) have determined that all appropriate remedial response to the extent practicable has been taken and that the Site poses no significant threat to public health or the environment. Therefore, further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments concerning this Site may be submitted on or before August 21, 1996.

**ADDRESSES:** Comments may be mailed to: Kathleen Stryker, Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop: ECL-115, Seattle, Washington 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the McChord Air Force Base Washrack Treatment Area information repositories at the following locations:

Pierce County Library, Lakewood Branch, 6300 Wildaire Road SW Lakewood, WA 98499.

United States Environmental Protection Agency, Region 10 Office of Environmental Cleanup—Records Center, Attn: Dawn Musgrove, 1200 Sixth Avenue, Mail Stop, ECL-076, Seattle, Washington 98101.

**FOR FURTHER INFORMATION CONTACT:**

Kathleen Stryker, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop: ECL-115, Seattle, Washington 98101, (206) 553-1171.

**SUPPLEMENTARY INFORMATION:**

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**I. Introduction**

The Environmental Protection Agency (EPA) Region 10 announces its intent to delete a site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR part 300, and requests comments on this deletion. EPA identifies sites on the NPL that appear to present a significant risk to human health or the environment. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA plans to delete the McChord Air Force Base Washrack Treatment Area Site ("Site") in Tacoma, Washington, from the NPL.

EPA will accept comments on the plan to delete this Site until August 21, 1996.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the Washrack Treatment Area Site and explains how the Site meets the deletion criteria.

**II. NPL Deletion Criteria**

Section 300.425(e) of the NCP provides that "releases" (sites) may be deleted from, or recategorized on the NPL where no further response is appropriate. In making a determination to delete a site from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

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

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

Even if a site is deleted from the NPL, where hazardous substances, pollutants or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action

at the site to ensure that the site remains protective of public health and the environment. In the case of the Washrack Treatment Area Site, hazardous substances above health-based levels do not remain on the site, therefore, periodic five-year reviews are not required. In addition, whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

**III. Deletion Procedures**

The following procedures were used for the intended deletion of this Site: (1) The Air Force completed all appropriate response actions required for the site. EPA Region 10 issued a memo to document that no further active remedial response is necessary at the site thus qualifying the Site for inclusion on the Superfund Site Construction Completion List, and a final close out report that documents the achievement of cleanup goals; (2) Ecology concurred with the proposed deletion decision; (3) A notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made available for public review in the local Site information repositories.

Deletion of the Site from the NPL does not itself, create, alter or revoke any individual rights or obligations. The NPL is designed primarily for informational purposes to assist Agency management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future response actions.

EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision. The Agency will prepare a Responsiveness Summary if any significant public comments are received.

A deletion occurs when the Regional Administrator places a final action in the Federal Register. Generally, the NPL will reflect deletions in the final update following the final action. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

**IV. Basis for Intended Site Deletion**

The following site summary provides the Agency's rationale for the intention to delete this Site from the NPL.

### Site Location and History

McChord Air Force Base (AFB) is an active 4,616-acre military installation located seven miles south of downtown Tacoma. The Washrack Treatment Area (WTA), a 22-acre area where airplanes were washed and drained of fuel, is located within the northern industrial and operational portion of the base along the western portion of the instrument runway. The site includes the former washrack (now inactive), two leach pits (now backfilled), an oil/water separator (skimmer), storm drainage infiltration ditches (now backfilled) and a layer of floating fuel on shallow groundwater in the vicinity.

The two Department of Defense (DOD) Installation Restoration Program (IRP) sites that comprise the WTA (SD-54, the leach pits; and DP-60, infiltration ditches) were originally identified during the 1982 Phase I record search (CH2MHill, 1982) conducted by McChord. The phase two IRP investigation (SAIC, 1985) measured low level organic contamination at Site DP-60 and the adjacent IRP Site SD-54.

As a result of the IRP record search and investigation, further studies were recommended to confirm contaminant characteristics and distribution. The EPA designated Site SD-54 as the Washrack Treatment Area in 1984 and nominated it for inclusion on the NPL. The site was listed in 1987. In 1989 the Air Force entered into a three party Federal Facilities Agreement (FFA) with Region X of the EPA and Ecology for conducting an investigation and cleanup of contaminants posing an unacceptable risk to human health and the environment.

A remedial investigation, which was completed in 1992, investigated source areas for the floating fuel and evaluated the nature and extent of contamination in all potentially affected media. Based on evaluation of the RI and the baseline risk assessment, the EPA determined and documented in the Record of Decision (ROD) for the WTA that no remedial action under CERCLA was necessary for soil, surface water or sediment to ensure protection of human health and the environment. The ROD selected passive removal of the floating fuel to address the unacceptable risk posed by benzene associated with the floating fuel layer, and monitoring to evaluate the need for remediation of the residual fuel in the soil.

A remedial design pilot study for recovery of the floating fuel or Non-Aqueous Phase Liquids (NAPL) was performed in 1993 and 1994 to determine if the layer of floating fuel could be removed. The NAPL Pilot Test

Study (EA Engineering, 1994) concluded that passive removal of the fuel was not feasible due to the small amount of fuel present and that original estimates of fuel available for recovery were overestimates. The study also concluded that the soil was not a significant continuing source of contamination to groundwater and that there is an active population of bacteria present in the soil capable of naturally degrading the petroleum.

In light of the findings of the Pilot Study an Explanation of Significant Differences (ESD) was prepared. The ESD described the results of the pilot study and the changes that were made to the ROD as a result. The ESD changed the final remedy to a combination of natural attenuation and long-term monitoring of the groundwater. Natural attenuation consists in part of allowing the hydrocarbons in the shallow groundwater to be consumed by the naturally occurring bacteria present at the site and to allow the lighter portions of the hydrocarbons to volatilize. The shallow groundwater below the floating fuel would be monitored, as well as the shallow groundwater up- and down gradient of the floating fuel.

The installation of one test trench and ten test pit observation wells as part of the pilot test for the passive removal of the floating fuel constituted the only active remedial action that occurred at the site. EPA concurred in a March 1995 addendum to the ROD that no further active remedial response under CERCLA is necessary at the WTA. This addendum served to signify construction completion.

Eleven rounds of groundwater samples have been collected at the floating fuel area since September 1990. All of the groundwater samples were analyzed for the six compounds for which Remedial Action Objectives (RAOs) were established in the ROD. With the exception of total petroleum hydrocarbons (TPH), levels of these compounds detected in the seven rounds conducted since completion of the ROD have been consistently below the RAOs. Semi-annual monitoring reports conducted since the ROD for the WTA are available in the site repository.

### Public Participation

Community input has been sought by McChord Air Force Base throughout the cleanup process for the Site. Community relations activities have included public meetings prior to the signing of the ROD, several public notices in local newspapers, and routine publication of progress fact sheets. A copy of the Deletion Docket can be reviewed by the public at the Pierce

County Library, Lakewood Branch or the EPA Region 10 Superfund Records Center. The Deletion Docket includes this Notice, the ROD, ESD, Remedial Action Construction Report, Memo documenting that no further remedial action is necessary, and Final Site Close-Out Report. EPA Region 10 will also announce the availability of the Deletion Docket for public review in a local newspaper and informational fact sheet.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "responsible parties or other persons have implemented all appropriate response actions required". EPA, with the concurrence of Ecology, believes that this criterion for deletion has been met. Ground water data from the Site confirm that the ROD cleanup goals have been achieved. It is concluded that there is no significant threat to human health or the environment and, therefore, no further remedial action is necessary. Subsequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dated: July 8, 1996.

C. Findley,

Acting Regional Administrator, Region 10.

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## DEPARTMENT OF DEFENSE

### 48 CFR Parts 219 and 252

[DFARS Case 96-D003]

### Defense Federal Acquisition Regulation Supplement; Certificate of Competency

**AGENCY:** Department of Defense (DoD).

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement revisions made to the Small Business Administration's regulations covering the Procurement Assistance Programs (Part 125, Chapter I, Title 13 of the Code of Federal Regulations).

**DATES:** Comments on the proposed rule should be submitted in writing to the address shown below on or before September 20, 1996, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Susan L. Schneider,