

ADDRESSES: Mail written comments to Alima Patterson, Region 6, Regional Authorization Coordinator, Grants and Authorization Section (6PD-G), Multimedia Planning and Permitting Division, at the address shown below. You can examine copies of the materials submitted by the State of Louisiana during normal business hours at the following locations: EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, (214) 665-6444 ; or Louisiana Department of Environmental Quality, H.B. Garlock Building, 7290 Bluebonnet, Baton Rouge, Louisiana, 70810, (504) 765-0617.

FOR FURTHER INFORMATION CONTACT: Alima Patterson at (214) 665-8533.

SUPPLEMENTARY INFORMATION: For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

Dated: June 15, 1999.

Jerry Clifford,

Acting Regional Administrator, Region 6.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-6427-8]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete Northwest Transformer (Mission/Pole Road) Site from the National Priorities List Update: request for comments.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Northwest Transformer (Mission/Pole Road) Site in Whatcom County, Washington, 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 the Site poses no significant threat to public health or the environment and, therefore, further

remedial measures pursuant to CERCLA are not appropriate.

DATES: Comments concerning this Site may be submitted on or before September 24, 1999.

ADDRESSES: Comments may be mailed to: Timothy H. Brincefield, Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop ECL-115, Seattle, WA 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the NW Transformer (Mission/Pole Road). Site information repositories at the following locations: Whatcom County Public Library, 5205 Northwest Road, Bellingham, Washington 98226-9092. United States Environmental Protection Agency, Region 10, Office of Environmental Cleanup—Records Center, 1200 Sixth Avenue, Mail Stop ECL-076, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT:

Timothy H. Brincefield, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop ECL-115, Seattle, Washington 98101, (206) 553-2100.

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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 Pollution Contingency Plan (NCP), 40 CFR Part 300, and requests comments to 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 Fund-financed remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA plans to delete the Northwest Transformer (Mission/Pole Road) Site ("Site") located at the intersection of Mission and East Pole Roads in Whatcom County, Washington, from the NPL.

EPA will accept comments on the plan to delete this Site for thirty days after publication of this notice in the **Federal Register**.

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 Northwest Transformer (Mission/Pole Road) Site and explains how the Site meets 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 Fund-financed 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 (Mission/Pole Road) Site, the Remedial Action for Soils achieved State and Federal cleanup levels, and remedial actions objectives and performance standards designed to allow for unrestricted use and unlimited exposure at this Site, however, because of concern about potential migration of PCBs in groundwater that might have been mobilized during the Remedial Action, EPA required at least one five-year review pursuant to Section 121 (c) of SARA. That review has been completed, no contaminants of concern have ever been detected in groundwater off Site or on the perimeter of the Site, and all groundwater wells on Site have met cleanup goals for at least two years of monitoring.

Due to the potential for the Site to be mined for gravel (similar to adjacent properties), and since small quantities of low level Polychlorinated Biphenyl (PCB) contamination is known to remain in soils (between 1 and 3 parts per million remain in a few places at depths below 15 feet), the periodic review also concluded that certain Institutional Controls established in the 1991 Consent Decree between the United States, the Site Owner and the former Owner/Operators, should be

maintained. EPA has confirmed that the required Institutional Controls are in place. EPA will conduct another periodic review within five years to ensure that the Institutional Controls remain in place and are functioning as designed.

All appropriate actions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, have been implemented. No further response is appropriate. The Site requires no maintenance, however Institutional Controls have to be maintained.

If new information becomes available that indicates a need for further action, EPA may require additional remedial actions. 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 March 31, 1994, Preliminary Close Out Report and the July 27, 1999, Final Close Out Report document the achievement of cleanup goals and protectiveness of the Site; (2) The Washington Department Of Ecology (Ecology) has 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 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 information purposes to assist EPA 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 Fund-financed 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 notice in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents

by EPA's Regional Office in Seattle, Washington.

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.

A. Site Background

The Northwest Transformer (Mission/Pole Road) Superfund Site was a former transformer manufacturing, service and reclamation facility located on a 1.6 acre property at the intersection of Mission and East Pole Roads, in Whatcom County, just South of Everson Washington.

B. History

The Site was placed on the United States Environmental Protection Agency (EPA) National Priorities List (NPL) in 1984 under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) based upon evidence of the release of PCBs to the environment. In May 1985, EPA initiated an Immediate Removal Action (IRM) at the Site, which included removal of PCB-contaminated soil, debris, and liquids, and installation of groundwater monitoring wells. A Remedial Investigation/Feasibility Study (RI/FS) characterized contamination remaining at the Site and recommended thermal destruction of PCBs in soils contaminated with greater than 10 milligrams per kilogram (mg/kg)/parts per million (ppm) PCBs (HDR 1988a; HDR 1988b). In September 1989, EPA issued a Record of Decision (ROD) for a Remedial Action (RA; EPA 1989). The selected remedy included excavation, consolidation, and treatment via in-situ vitrification (ISV) of approximately 1,200 cubic yards of soil contaminated with greater than 10 ppm (mg/kg) PCBs; placement of a two-foot thick clean soil cover; abandonment of an on-Site well; sampling of on-Site wood structures; and implementation of a groundwater monitoring program (GWMP).

Subsequent to the 1989 ROD, an ISV pilot test demonstrated that, although effective, the ISV technology would cost significantly more than originally anticipated. Furthermore, additional sampling indicated that the volume of soil contaminated by greater than 10 ppm PCBs was significantly less than originally estimated. Based upon these factors, and the lack of availability of a full-scale ISV unit, EPA issued a Proposed Plan to modify the Site remedy. In September 1991, EPA issued an Amended ROD, selecting a remedy which included off-Site incineration of soils contaminated with greater than 50

ppm PCBs, off-Site landfilling of soils contaminated with between 1 ppm and 50 ppm PCBs, demolition of the barn and off-Site disposal of barn debris, placement of a two-foot thick clean soil cover, and possible institutional controls (EPA 1991). Based upon the non-detection of PCBs in groundwater samples collected from both on-Site and off-Site wells immediately prior to the issuance of the Amended ROD, EPA determined that no remedial action for groundwater would be necessary, subject to completion of the GWMP and evaluation of its results.

The RA was completed in 1993–1994 as documented in the December 30, 1994 Remedial Action Completion report and July 27, 1999 Five Year Review and Final Close Out Reports. The Site soil RA activities, including remediation of the localized PCB "hot spot" discovered at depth in the former seepage pit area, were conducted in a manner that achieved the EPA and Washington State Department of Ecology (Ecology) performance standards for a non-conditional Site cleanup, using the 1 ppm PCB cleanup level for soil above the 15-ft compliance depth and the less than 10 ppm PCB cleanup level for soil below the 15-ft compliance depth.

Groundwater monitoring at the Site has been conducted both prior to and during RA activities (Phase 1), and following completion of RA activities (Phase 2). The GWMP included sampling from a total of 27 wells (10 onsite monitoring wells and 17 offsite groundwater supply wells in the vicinity of the Site). No PCBs were detected in any of the offsite groundwater supply wells or any of the 8 groundwater monitoring wells located along the perimeter of the Site. In sampling prior to 1997, PCBs were detected in one shallow on-Site monitoring well (well NWT-7S, located just north/downgradient of the former seepage pit area). PCBs concentrations in groundwater samples collected from well NWT-7S sometimes exceeded the maximum contaminant level (MCL) for PCBs in drinking water of 0.5 micrograms per liter (ug/L). The most recent groundwater sampling data (from the last two sampling events), however, indicates a lowering of the potential risk posed by the residual low-level PCBs remaining at depth near the former seepage pit area, including the attainment of two consecutive groundwater sampling results below the State cleanup level based on the practical quantitation limits (0.25 ug/L as specified in the ROD) and the 0.5 ug/L MCL for onsite wells as set forth by

the plan for the post-RA groundwater monitoring.

C. Characterization of Risk

Prior to cleanup, the environmental pathway of concern was potential direct contact with PCBs in soils. The estimated pre-remediation Site-specific potential cancer risk for soils ranged from 5 in 100,000 (5×10^{-5}) to 2 in 10,000 (2×10^{-4}).

The remedial action for soils was initiated in 1993 and completed in 1994 with removal and off-Site disposal of all contamination in excess of State and Federal standards and Site-specific cleanup goals. Current Site risk from exposure to soils is below 1×10^{-6} , and the surface and shallow soils on Site are safe for unlimited use and unrestricted exposure.

Due to the possibility of deep excavation on Site in the future, the Institutional Controls on soils established in the 1991 Consent Decree between the United States and the Site owners are being maintained with slight modifications. In the event of excavation of soils below 15 feet, some low levels of residual contamination could be encountered (some soils with 1–3 parts per million PCBs remain at depth). Prior to any excavation below 15 feet, Ecology must be notified and proper precautions must be taken to protect worker health and safety and to prevent spread of any residual contamination that could pose a risk to human health or the environment risk.

Though at the time of the ROD no groundwater contamination had been identified, further groundwater monitoring was required to determine if there was any risk from potential ingestion of contaminated groundwater in the event groundwater contamination migrated off Site to downgradient water supply wells, or in the event water

supply wells were installed on Site in the area of the old seepage pit. No groundwater contamination has ever been detected in wells off Site or around the perimeter of the Site. During Remedial Design and for a time subsequent to the Remedial Action for soils, groundwater monitoring results from one well in the center of the Site showed evidence of contamination slightly in excess of the Federal MCL and State practical quantitation limit (PQL) for PCBs in groundwater.

Analytical data from the last two rounds of monitoring have confirmed that even that one well is below the Federal MCL and State PQL such that no remedial action or further monitoring is necessary. The on-Site wells will be abandoned in accordance with State requirements. To ensure against future exposure to potential contamination, the groundwater Institutional Controls established in the 1991 Consent Decree calling for notification of EPA prior to use of groundwater from the Site are being maintained and augmented by a requirement to test the groundwater for PCBs and provide the results to EPA.

With the implementation and completion of all remedial activities, the Site poses no further threat to human health and the environment. There are no further operation and maintenance activities to be performed at the Site, however Institutional Controls must be maintained.

D. Public Participation

Community input has been sought by EPA Region 10 throughout the cleanup process at the Site. Information repositories were established at the Whatcom County Public Library (originally at the Branch on Kirsch Road in Everson, subsequently moved by the Library to their regional document center in Bellingham) and in the EPA

Regional Office in Seattle. Fact sheets were distributed periodically before, during, and after cleanup. Proposed cleanup plans were issued in 1989 (for the original ROD) and 1991 (for the Amended ROD). The draft Five Year review was shared with the Everson City Council and Public Works Department in 1998 and the Final Five Year Review is being issued in August, 1999.

A copy of the Deletion Docket can be reviewed by the public at the Whatcom County Public Library, or the EPA Region 10 Superfund Records Center. The Deletion Docket includes this Notice, the ROD, Amended ROD, Remedial Action Completion Report, Five Year Review, 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. Groundwater and soil data from the Site confirm that the ROD cleanup goals have been achieved. There is no significant threat to human health or the environment and, therefore, no further remedial action is necessary. Consequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available in the docket at the information repositories.

Dated: August 18, 1999.

Charles Clarke,

Regional Administrator, Region 10.

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