comment period for the proposal ended on December 12, 1994.

Today's notice provides an additional thirty days to submit comments on the Agency's analysis that was missing from the docket. Today's request for comment, however, is limited to the issues addressed by the Agency's analysis; it does not solicit comment on other aspects of the October 12, 1994, proposal.

List of Subjects

40 CFR Part 258

Environmental protection, Reporting and recordkeeping requirements, Waste treatment and disposal.

40 CFR Part 264

Hazardous waste, Reporting and recordkeeping requirements.

40 CFR Part 265

Hazardous waste, Reporting and recordkeeping requirements.

Dated: September 16, 1996.

Elizabeth A. Cotsworth,

Acting Director, Office of Solid Waste.

[FR Doc. 96–24856 Filed 9–26–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 300

[FRL–5615–4]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent for partial deletion of the Lakewood Site from the national priorities list.

SUMMARY: The United States Environmental Protection Agency (EPA) Region 10 announces its intent to delete the soil unit of the Lakewood Site located in Lakewood (Pierce County), Washington, 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). This partial deletion of the Lakewood Site is proposed in accordance with 40 CFR 300.425(e) and the Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List. 60 FR 55466 (Nov. 1, 1995).

This proposal for partial deletion pertains to the soil unit and includes all contaminated soil/sludge on the Plaza Cleaners (a dry cleaner) property, which was the source of the soil and ground-water contamination at the Lakewood Site. A plume of contaminated ground water, resulting from former disposal practices at the dry cleaner, is treated via air stripping at the Lakewood Water District production wells. The ground-water unit will remain on the NPL, and treatment via air stripping will continue at the Lakewood Water District production wells. EPA bases its proposal to delete the soil unit at the Lakewood Site on the determination by EPA and the State of Washington Department of Ecology (Ecology), that all appropriate actions under CERCLA have been completed to protect human health, welfare and the environment related to soil contamination at the site.

DATES: EPA will accept comments concerning its proposal for partial deletion for thirty (30) days after publication of this document in the Federal Register and a newspaper of record.

ADDRESSES: Comments may be mailed to: Ms. Ann Williamson, Superfund Site Manager, U.S. EPA, Region 10 (M/S ECL–113), 1200 Sixth Avenue, Seattle, Washington 98101, 1–800–424–4372 or (206) 553–2739.

INFORMATION REPOSITORIES: Comprehensive information on the Lakewood Site as well as information specific to this proposed partial deletion is available for review at EPA's Region 10 office in Seattle, Washington, and at the information repositories listed below. Since this site predates the Superfund Amendments and Reauthorization Act (SARA), no Administrative Record exists; however, the Site File and the Deletion Docket for this partial deletion are maintained at EPA Region 10's Regional Office Superfund Records Center, 1200 Sixth Avenue, Seattle, Washington 98101. The Record Center's hours of operation are 8:30–4:30 p.m., Monday–Friday, and the Records Center staff can be reached at (206) 553–4494.

Other information repositories where the Deletion Docket is available for public review include:

Lakewood Library, 6300 Wildaire Road Southwest, Tacoma, Washington

Tacoma Public Library, 1102 Tacoma Avenue, Northwest Room, Tacoma, Washington.

FOR FURTHER INFORMATION CONTACT: Ann Williamson, 206–553–2739.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

The United States Environmental Protection Agency (EPA) Region 10 announces its intent to delete a portion of the Lakewood Site, located in Lakewood (Pierce County), Washington, from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and requests comments on this proposal. This proposal for partial deletion pertains to the soil unit, and includes all contaminated soil/sludge on the Plaza Cleaners (a dry cleaner) property, which was the source of the soil and ground-water contamination at the site. A plume of contaminated ground water, resulting from former disposal practices at the dry cleaner, is treated via air stripping at the Lakewood Water District production wells. The primary contaminant in soil was perchloroethylene (PERC). The soil unit was confined to an area on the Plaza Cleaners property. The site boundary, including the plume of contaminated ground water, is predominantly residential to the north of the Burlington Northern Railroad tracks and commercial/light industrial along the Pacific Highway. Lakewood Water District's two production wells are located on a fenced site immediately south of Plaza Cleaners, across Interstate 5. Residential property lies to the east, and McChord Air Force Base to the southeast of the wells.

In July 1981, EPA sampled drinking water wells in the Tacoma area for contamination by volatile organic compounds. The tests indicated that the Lakewood Water District production wells, H1 and H2, were contaminated with trichloroethylene (TCE), tetrachloroethylene (PERC), and cis-1,2 dichloroethylene (cis-1,2 DCE). In August 1981, the Lakewood Water District took these wells temporarily out of production and notified its customers of the problem. EPA installed 24 monitoring wells, and contaminated surficial soil in the source area was excavated. Following the shutdown of the wells, the Washington State Department of Ecology (Ecology) and EPA conducted several investigations and cleanup activities. Soil on the Plaza Cleaners property was contaminated with PERC, a solvent that Plaza Cleaners used in their dry cleaning process.

Ecology determined that solvents used in the dry cleaning process were dumped onto the ground and into three on-site, bottomless septic tanks, causing the soil contamination. Ecology sampled septic tanks on the Plaza Cleaners property between October 1981 and January 1983. The Lakewood Site was added to the NPL on December 30, 1982.

In April 1983, Ecology issued an enforcement order requiring Plaza Cleaners to cease dumping solvent-containing materials into the septic system. A stipulated agreement for remedial action was reached between Ecology and Plaza Cleaners in September, 1983. Plaza Cleaners agreed to discontinue their prior solvent disposal practices, install a system for reclaiming cleaning solvents, and send drummed waste water and sludge to a suitable off-site disposal facility. The contents of the septic tanks were removed and the tanks backfilled to reduce the potential for further contamination during the EPA remedial action. Plaza Cleaners successfully fulfilled the terms of the agreement.

In May 1984, EPA completed a focused feasibility study identifying an interim remedial action (IRM) needed to address those contaminant problems posing the most immediate threat at the site. The objectives of the IRM were to: (1) restrict the spread of contamination within the aquifer; (2) restore normal water service to the area; (3) and, initiate ground-water treatment as quickly as possible. By November 15, 1984, two air strippers had been installed to treat wells H1 and H2 and were fully operational following implementation of the IRM.

EPA's contractor conducted a remedial investigation from August 1984 to July 1985 to further determine the extent of ground-water contamination at the site, test the soil at Plaza Cleaners for remaining contaminants, and determine whether other sources were contributing to the ground-water problem. The field work conducted during the RI included:

- Installation of nine deep and three shallow monitoring wells to provide a comprehensive picture of the ground-water regime (e.g. flow patterns, hydraulic connections between layers); determine the nature/extent of ground-water contamination; and, identify possible sources of the contamination.
- Excavation of the waste line at Plaza Cleaners and drilling of seven soil borings to determine the extent/character of remaining sources of contamination at Plaza Cleaners, and to determine if other sources besides Plaza Cleaners exist.
- Collection of samples for field and laboratory analysis to determine the extent/concentration of soil and aquifer contamination within the study area.

The dry cleaning operation's discharge of solvents into its bottomless (i.e. permeable) septic system and the disposal of other wastes containing solvents onto the ground outside their building were suspected of causing the soil and ground-water contamination. It was later confirmed that contamination had resulted from effluent discharges from septic tanks behind the Plaza Cleaners building and sludge disposal on the ground surface. Ecology found that supernatant (liquid overlying material deposited by settling or precipitation) in the dry cleaner's septic system contained 550 parts per billion (ppb) PERC and 29 ppb TCE.

Data for the two production wells (H1 and H2) ranged from 100 to 500 ppb PERC prior to initiating the ground-water treatment. Contaminant concentrations decreased rapidly after several days of pumping, and have continued to decrease. Maximum and mean concentrations in other ground-water monitoring wells within the study area prior to treatment were: PERC—922 ppb and 16 ppb, respectively, and: TCE—57 ppb and 3 ppb, respectively. The only detected concentration for cis-1,2 DCE was 85 ppb in a monitoring well upgradient of the production wells.

The RI indicated that PERC contamination in soil was highest where solvent-contaminated wastes were intentionally disposed on the ground surface. Except for several small pockets of contamination, most of the PERC from the soil borings and test pit was located in the upper 12 to 13 feet of soil in the immediate vicinity of the dry cleaner's septic tanks and drain field. Where it was detected, PERC concentrations ranged from 11 to 3,800 ppb. The average PERC concentration in soil was 500 ppb. Maximum TCE and cis-1,2 DCE concentrations in soil were 5 ppb and 4 ppb, respectively.

The feasibility study for the Lakewood site was published in July 1985, and the ROD was signed shortly thereafter on September 30, 1985.

The remedy selected in the ROD consisted of the following major elements:

- Continued operation of the H1–H2 production wells' treatment system to cleanup the aquifer. Installation of higher efficiency equipment or modification of existing energy reducing equipment used in the treatment system.
- Installation of additional monitoring wells, upgrading of existing wells, and continuation of routine sampling and analysis of the aquifer to monitor progress and provide early warning of potential new contaminants.
- Excavation and removal of contaminated septic tanks and drain field piping to avoid the possible spread of contamination via uncontrolled excavation (i.e., future property development). The septic tanks were found to be bottomless, and, therefore, they were not removed.
- Placement of administrative restrictions on the installation and use of ground-water wells and on excavation into the contaminated soils to minimize the potential for use of contaminated ground water and reduce the risks associated with uncontrolled excavation.

An amended ROD was signed on November 14, 1986. All of the selected remedies and administrative restrictions in the September 30, 1985 ROD for the aquifer unit remained the same. Additions or modifications to the soil unit cleanup were as follows:

- Installation of an SVES covering the area of soil contamination over and around the historical drain field on-site to extract PERC from the remaining contaminated soil.
- Reduction in the amount of septic tank contents to be removed and treated off-site. At that time, the capability of off-site disposal consistent with the CERCLA off-site policy was not available within Region 10 for the proposed 900 cubic yards of soil requiring removal, as called for in the original ROD. Therefore, contaminated solids and any water were removed from the septic tanks and disposed off-site. The remainder of the contaminated soil within the septic tanks and around the historical drain field was treated via SVES. During implementation of the remedy in the original ROD, the septic tanks were found to be bottomless, were left in place, and the soil treated via SVES.
- Soil and vapor testing continued until soil treatment was deemed complete.

In 1987, the SVES was installed within the contaminated area to extract PERC from the shallow unsaturated soil at the site. Soil sampling in 1990 indicated elevated concentrations of PERC at about 12 feet below the surface. Based on concerns that the SVES would not be able to reduce PERC concentrations below the 500 ppb cleanup level, EPA excavated the contaminated sludge and soil from the area, and disposed of it off-site. On-site soil remediation activities were completed in July 1992, including the dismantling and decommissioning of the SVES. Subsequent sampling

confirmed that attainment of the 500 ppb soil cleanup goal had been achieved. No further action is necessary to protect human health and the environment in relation to soil contamination at the Site.

Cleanup goals for the site contaminants were identified in an Explanation of Significant Differences (ESD) published on September 15, 1992. EPA published ground-water cleanup levels at 5.0 ppb for PERC and TCE, and 70 ppb for cis-1,2 DCE consistent with the federal maximum contaminant levels (MCLs). These concentrations are also the cleanup standards under the State of Washington's Model Toxics Control Act (MTCA) regulations Methods A and B. The soil cleanup level for PERC was set at 500 ppb, in compliance with MTCA Method A requirements (based on protection of ground water), is within EPA's acceptable risk range of 10^{-4} to 10^{-6}, and is protective of ground water.

The ESD also documented additional revisions needed in order to comply with the original ROD, amended ROD and regulatory requirements. The additional issues requiring revision were: (10 further remedial action necessary to remove the source of the contamination at the site, and (2) elimination of the requirement to implement institutional controls on land and ground-water use.

The institutional controls requirement on soil, as called for in the ROD and amended ROD, was addressed in the ESD as follows:

- The success of the final soil remedial action eliminated the need for institutional controls on land use.

EPA proposes to delete the soil unit because all appropriate CERCLA response activities have been completed in those areas where soil contamination exceeded the cleanup level. However, response activities at the groundwater unit are not yet complete, and the site will remain on the NPL and is not the subject of this partial deletion.

The NPL is a list maintained by EPA of sites that EPA has determined present a significant risk to human health, welfare, or the environment. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund (Fund). 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.

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

II. NPL Deletion Criteria

The NCP establishes the criteria that EPA 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 to protect human health or the environment. In making such a determination pursuant to section 300.425 (e), EPA will consider, in consultation with the State, whether any of the following criteria have been met:

Section 300.425(e)(1)(i). Responsible parties or other persons have implemented all appropriate response actions required; or

Section 300.425(e)(1)(ii). All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

Section 300.425(e)(1)(iii). The remedial investigation has shown that the release poses no significant threat to human health or the environment and, therefore, taking of remedial measures is not appropriate.

Deletion of a portion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions at the area deleted if future site conditions warrant such actions. Section 300.425(e)(3) of the NCP provides that Fund-financed actions may be taken at sites that have been deleted from the NPL. A partial deletion of a site from the NPL does not affect or impede EPA's ability to conduct CERCLA response activities at areas not deleted and remaining on the NPL. In addition, deletion of a portion of a site from the NPL does not affect the liability of responsible parties or impede agency efforts to recover costs associated with response efforts.

III. Deletion Procedures

Deletion of a portion of a site from the NPL does not itself create, alter, or revoke any person's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management.

The following procedures were used for the proposed deletion of the soil unit at the Lakewood Site:

(1) EPA has recommended the partial deletion and has prepared the relevant documents.

(2) The State of Washington, through the Washington Department of Ecology, concurs with this partial deletion.

(3) Concurrent with this national Notice of Intent for Partial Deletion, a notice has been published in a newspaper of record and has been distributed to appropriate federal, State, and local officials, and other interested parties. These notices announce a thirty (30) day public comment period on the deletion package, which commences on the date of publication of this notice in the Federal Register and a newspaper of record.

(4) EPA has made all relevant documents available at the information repositories listed previously.

This Federal Register document, and a concurrent notice in a newspaper of record, announce the initiation of a thirty (30) day public comment period and the availability of the Notice of Intent for Partial Deletion. The public is asked to comment on EPA's proposal to delete the soil unit from the NPL. All critical documents needed to evaluate EPA's decision are included in the Deletion Docket and are available for review at the EPA Region 10 information repositories.

Upon completion of the thirty (30) day public comment period, EPA will evaluate all comments received before issuing the final decision on the partial deletion. EPA will prepare a Responsiveness Summary for comments received during the public comment period and will address concerns presented in the comments. The Responsiveness Summary will be made available to the public at the information repositories listed previously. Members of the public are encouraged to contact EPA Region 10 to obtain a copy of the Responsiveness Summary. If, after review of all public comments, EPA determines that the partial deletion from the NPL is appropriate, EPA will publish a final notice of partial deletion in the Federal Register. Deletion of the soil unit does not actually occur until the final Notice of Partial Deletion is published in the Federal Register.

IV. Basis for Intended Partial Site Deletion

The following provides EPA's rationale for deletion of the soil unit from the NPL and EPA's finding that the criteria in 40 CFR § 300.425(e) are satisfied.

Background

The Lakewood Site is located in Lakewood (Pierce County), Washington and includes property upon which a business known as Plaza Cleaners has operated for several years. The regional aquifer is contaminated within about a 2,000-foot radius down gradient from the Plaza Cleaners.

The area is predominantly residential to the north of the Burlington Northern Railroad tracks, and commercial/light industrial along the Pacific Highway. Lakewood Water District has two of its

production wells (H1 and H2) on a fenced site immediately south of Plaza Cleaners, across Interstate 5. Residential property lies to the east, and McChord Air Force Base to the southeast of the wells. In July 1981, EPA sampled drinking water wells in the Tacoma area for contamination by volatile organic compounds. The tests indicated that the Lakewood Water District production wells, H1 and H2, were contaminated with trichloroethylene (TCE), tetrachloroethylene (PERC), and cis-1,2 dichloroethylene (cis-1,2 DCE). In August 1981, the Lakewood Water District took these wells temporarily out of service and notified its customers of the problem. EPA installed 24 monitoring wells, and contaminated surficial soil in the source area was excavated. Following the shutdown of the wells, Ecology and EPA conducted several investigations and cleanup activities. Soil on the Plaza Cleaners property was contaminated with PERC, a solvent they used in their dry cleaning process. Ecology determined that solvents used in the dry cleaning process were dumped onto the ground and into three on-site, bottomless septic tanks, causing contamination of the soil. Ecology sampled septic tanks on the Plaza Cleaners site between October 1981 and January 1983. In April 1983, Ecology issued an enforcement order requiring Plaza Cleaners to cease dumping solvent-containing materials into the septic system. The contents of the septic tanks were later removed and the tanks backfilled to reduce the potential for further contamination during the EPA remedial action.

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- Collection of samples for field and laboratory analysis to determine the extent/concentration of soil and aquifer contamination within the study area.

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The remedy selected in the ROD consisted of the following major elements:

- Continued operation of the H1–H2 production wells' treatment system to cleanup the aquifer. Installation of higher efficiency equipment or modification of existing energy reducing equipment used in the treatment system.
- Installation of additional monitoring wells, upgrading of existing wells, and continuation of routine sampling and analysis of the aquifer to monitor progress and provide early warning of potential new contaminants.
- Excavation and removal of contaminated septic tanks and drain field piping to avoid the possible spread of contamination via uncontrolled excavation (i.e., future property development). The septic tanks were found to be bottomless, and, therefore, they were not removed.
- Placement of administrative restrictions on the installation and use of ground-water wells and on excavation into the contaminated soils to minimize the potential for use of contaminated ground water and reduce the risks associated with uncontrolled excavation.

An amended ROD was signed on November 14, 1986. All of the selected remedies and administrative restrictions in the September 30, 1985 ROD for the aquifer unit remained the same. Additions or modifications to the soil unit cleanup were as follows:

- Installation of an SVES covering the area of soil contamination over and around the historical drain field on-site to extract PERC from the remaining contaminated soil.
- Reduction in the amount of septic tank contents to be removed and treated off-site. At that time, the capability of off-site disposal consistent with the CERCLA off-site policy was not available within Region 10 for the proposed 900 cubic yards of soil requiring removal, as called for in the original ROD. Therefore, contaminated solids and any water were removed from the septic tanks and disposed off-site. The remainder of the contaminated soil within the septic tanks and around the historical drain field was treated via SVES. During implementation of the remedy in the original ROD, the septic tanks were found to be bottomless, were left in place, and the soil treated via SVES.
- Soil and vapor testing continued until soil treatment was deemed complete.

Final Response Actions

In 1987, soils were excavated from inside and around the three septic tanks to remove the source of PERC contamination. An SVES was installed within the contaminated area to extract PERC from the shallow unsaturated soil at the site. Soil sampling in 1990 indicated elevated concentrations of PERC at about 12 feet below the surface.

Cleanup goals for the site contaminants were identified in an Explanation of Significant Differences (ESD) published on September 15, 1992. EPA published ground-water cleanup levels at 5.0 ppb for PERC and TCE, and 70 ppb for cis-1,2 DCE consistent with the federal maximum contaminant levels (MCLs). These concentrations are also the cleanup standards under the State of Washington's Model Toxics Control Act (MTCA) regulations Methods A and B. The soil cleanup level for PERC was set at 500 ppb, in compliance with MTCA Method A requirements (based on protection of ground water), is within EPA's acceptable risk range of 10^{-4} to 10^{-6}, and is protective of ground water.

The ESD also documented additional revisions needed in order to comply with the original ROD, amended ROD and regulatory requirements. The additional issues requiring revision were: (10 further remedial action necessary to remove the source of the contamination at the site, and (2) elimination of the requirement to implement institutional controls on land and ground-water use.

The institutional controls requirement on soil, as called for in the ROD and amended ROD, was addressed in the ESD as follows:

- The success of the final soil remedial action eliminated the need for institutional controls on land use.

Based on concerns that the SVES would not be able to reduce PERC concentrations below the cleanup level, EPA excavated the contaminated sludge and soil from the area, and disposed of it off-site. On-site soil remediation activities were completed in July 1992, including the dismantling of the SVES. Subsequent sampling confirmed that the attainment of the 500 ppb soil cleanup goal was achieved. No further action is necessary to protect human health and the environment in relation to soil contamination at the Site. EPA proposes to delete the soil unit because all appropriate CERCLA response activities have been completed in those areas where soil contamination exceeded cleanup levels.

All of the response actions at the soil unit were conducted using funds from the Hazardous Substance Superfund.

Community Relations Activities

Community interest in this site has been low. Most residents seem confident that the water they receive is safe. Most of the citizens concerned about contamination were not served by drinking water supply wells H1 and H2, but by other wells which they feared might be affected by the contamination at the site. There has been little press interest since the Lakewood Water District production wells, H1 and H2, were returned to use.

A major goal of the Community Relations Section was to inform residents of the status of the remedial activities. EPA sent letters to property owners and well-drillers advising them not to drink from private wells or drill new wells in the zone of contamination. EPA has mailed fact sheets to local residents since 1984, most recently in September, 1992.

Current Status

Final on-site soil remediation activities were completed in July 1992. Contaminated sludge and soil was excavated to a maximum depth of 18 feet. Attainment of the 500 ppb soil cleanup level has been achieved.

While EPA does not believe that any future response actions in the soil unit will be needed, if future conditions warrant such action, the proposed deletion area of the Lakewood Site remains eligible for future Fund-financed response actions. Furthermore, this partial deletion does not alter the status of the groundwater unit of the Lakewood Site which is not proposed for deletion and remains on the NPL.

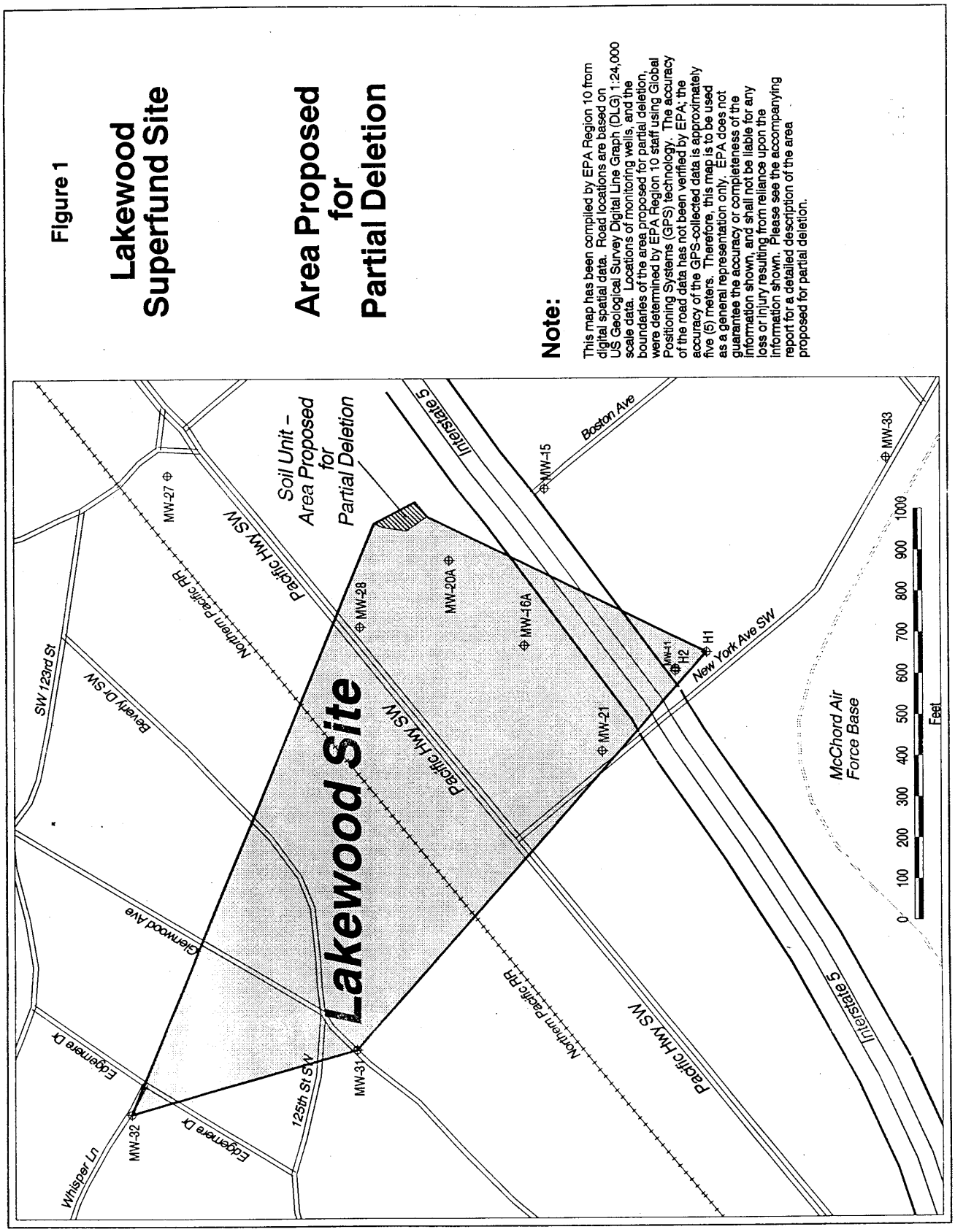
The State of Washington, through the Department of Ecology, has concurred on EPA's final determination regarding the partial deletion.

Dated: September 17, 1996.

Chuck Clarke,

Regional Administrator, U.S. Environmental Protection Agency, Region 10.

BILLING CODE 6560–50–P



[FR Doc. 96–24587 Filed 9–26–96; 8:45 am]

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