

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,

PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 96-D003 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT:
Susan Schneider, (703) 602-0131.

SUPPLEMENTARY INFORMATION:

A. Background

This proposed rule amends DFARS Parts 219 and 252 to implement changes made to the Small Business Administration's (SBA) regulations (Part 125, Chapter I, Title 13 of the Code of Federal Regulations). The proposed rule (1) updates the names of the SBA offices involved in processing Certificates of Competency in order to conform with final revisions to SBA regulations; (2) removes language referencing set-aside preferences for a small disadvantaged business manufacturer or regular dealer owned by an Indian tribe, including an Alaska Native Corporation, because the underlying statutes (Section 8051 of the 1994 Defense Authorization Act and Section 8012 of the 1995 Defense Authorization Act) are no longer in effect; (3) replaces the term "regular dealer" with "nonmanufacturer" to conform with final revisions to Department of Labor regulations; and (4) provides a DFARS definition for the term "nonmanufacturer."

B. Regulatory Flexibility Act

The proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule does not impose any new requirements on contractors, large or small. The proposed rule merely implements the SBA rule to clarify its applicability within the Department of Defense and makes administrative changes consistent with the changes in 13 CFR Part 125. An initial regulatory flexibility analysis has therefore not been performed. Comments are invited

from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts will also be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 96-D003 in correspondence.

C. Paperwork Reduction Act

The proposed rule does not impose any new reporting or recordkeeping requirements which require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 219 and 252

Government procurement.

Michele P. Peterson,
Executive Editor, Defense Acquisition Regulations Council.

Therefore, it is proposed that 48 CFR Parts 219 and 252 be amended as follows:

1. The authority citation for 48 CFR Parts 219 and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

PART 219—SMALL BUSINESS PROGRAMS

2. Section 219.602-3 is amended by revising paragraph (c)(i)(A) to read as follows:

219.602-3 Resolving differences between the agency and the Small Business Administration.

(c)(i) * * *

(A) A request for appeal, summarizing the issues. The request must be sent to arrive within five working days after receipt of the SBA Headquarters written position.

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PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

3. Section 252.219-7006 is amended by adding in paragraph (a), in

alphabetical order, a definition of "Nonmanufacturer"; and by revising the introductory text of paragraph (d)(1), paragraph (d)(2), and Alternate I to read as follows:

252.219-7006 Notice of evaluation preference for small disadvantaged business concerns.

* * * * *

(a) * * *

"Nonmanufacturer," as used in this clause, means a small disadvantaged business concern which, although not involved in the manufacture of the supplies required by the solicitation, is engaged in continuing sales of such supplies to the public.

* * * * *

(d) * * *

(1) A small disadvantaged business concern, historically black college or university, or minority institution offeror agrees that in performance of the contract, in the case of a contract for—

* * * * *

(2) A small disadvantaged business, historically black college or university, or minority institution nonmanufacturer submitting an offer in its own name agrees to furnish in performing this contract only end items manufactured or produced by small disadvantaged business concerns, historically black colleges or universities, or minority institutions in the United States.

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ALTERNATE I (DATE)

As prescribed in 219.7003, substitute the following paragraph (d)(2) for paragraph (d)(2) of the basic clause:

(d)(2) A small disadvantaged business, historically black college or university, or minority institution nonmanufacturer submitting an offer in its own name agrees to furnish in performing this contract only end items manufactured or produced by small business concerns, historically black colleges or universities, or minority institutions in the United States.

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