

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 300**

[FRL-6430-8]

**National Oil and Hazardous
Substances Pollution Contingency
Plan; National Priorities List****AGENCY:** Environmental Protection Agency.**ACTION:** Notice of intent to delete Joseph Forest Products site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Joseph Forest Products (JFP) Site in Wallowa County, Oregon 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 Oregon Department of Environmental Quality (ODEQ) 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 30, 1999.

ADDRESSES: Comments may be mailed to Chip Humphrey, Environmental Protection Agency, 811 SW Sixth Avenue, Portland, Oregon 97204.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the JFP Site information repositories at the following locations: Wallowa County Planning Department, County Courthouse, Enterprise, Oregon 97828; or United States Environmental Protection Agency, Region 10 Office of Environmental Cleanup—Records Center, Attn: Bob Phillips, 1200 Sixth Avenue, Mail Stop ECL-110, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Chip Humphrey, U.S. EPA Region 10, 811 SW Sixth Avenue, Portland, Oregon 97204, (503) 326-2678.

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I. Introduction

The Environmental Protection Agency (EPA), Region 10 announces its intent to delete the Joseph Forest Products Site ("Site"), located on Russell Lane approximately $\frac{3}{4}$ mile northwest of the City of Joseph in Wallowa County, Oregon, 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 will accept comments on the plan to delete this Site for thirty days after publication of this document 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 JFP 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. The first five-year review of the Site was completed in September

1998 in accordance with section 121 (c) of SARA. EPA concluded that the Joseph Forest Products Site remains protective of the human health and the environment. If, however, new information becomes available that indicates a need for further action, EPA may require 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) EPA Region 10 issued a final close out report documenting the achievement of cleanup goals; (2) the Oregon Department of Environmental Quality (ODEQ) 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 repository.

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 document, 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 Joseph Forest Products (JFP) Superfund Site is located on Russell Lane about $\frac{3}{4}$ mile northwest of the City

of Joseph, in Wallowa County, Oregon. The Site is approximately 18 acres and encompasses an inactive wood-treating facility located at the site of a former lumber mill. The property is bounded by Russell Lane to the north, and is bordered by property owned by the Clifford C. Hinkley Estate on the east, Sequoia Forest Products to the south, and by the Joseph Airport to the west.

The Site is located within the City of Enterprise Watershed Protection Area. Two developed springs, located approximately 4,000 feet north of the JFP Site, supply municipal water to the City of Enterprise (population 2,121). The Wallowa River flows within 400 feet of the Site at its closest point on the eastern side.

B. History

The Joseph Forest Products Site was a former wood treatment facility which operated at this location from 1974 to 1985, using a vacuum-pressure (retort) treatment process. JFP used a water-based chromated copper arsenate preservative. Process wastes, including wood chips, sludge and other materials remaining in the retort, were

periodically removed and placed in a cement pit adjacent to the east side of the treatment building.

The treatment building and surrounding buildings were destroyed by a fire in 1974. An estimated 200 gallons of concentrated treatment paste and approximately 3,000 gallons of treatment solution in the storage tank were lost. It is assumed that the material was washed onto nearby soil during fire fighting operations. JFP did not resume treatment operations until late 1977.

The Oregon DEQ issued JFP a Notice of Violation for unauthorized disposal and storage of hazardous waste in 1985. JFP responded by removing empty containers and arranging for disposal of chemical wastes from the Site. The company filed for bankruptcy and ceased operations in 1985. By late 1985, it had become apparent that JFP's insolvency would prevent any further corrective actions on the part of JFP.

An EPA site inspection was conducted from September 1985 through April 1986. Field activities during the SI included installation of monitoring wells and collection of samples of soil, surface water, and

groundwater. Water level measurements from groundwater monitoring wells installed at the Site indicated a moderate gradient toward the northeast in the shallow surficial aquifer. The principal contamination of concern identified in the SI was elevated levels of metals, primarily arsenic, chromium, and copper, in soils at the Site. In addition, the SI results indicated detectable levels of total metals in some groundwater and surface water samples. As a result of the SI and the subsequent HRS score, the JFP Site was nominated to the NPL.

The Joseph Forest Products Site was placed on the National Priorities List (NPL) in 1989. ICF Technology, an EPA contractor, was issued a work assignment by EPA to conduct a remedial investigation/feasibility study (RI/FS) of the Site in January 1990. The RI field investigation located and characterized highly contaminated soils in the treatment building and drip pad areas of the Site. The following summarizes the range (low-high) of soil contaminant concentrations (mg/kg) for the contaminants of concern from the first phase of the RI:

PHASE 1 RI SOIL CONTAMINANT CONCENTRATIONS

Area	Arsenic	Chromium	Copper
Treatment Building	641-104,000	412-46,100	405-33,300
Drip Pad Area	26-23,200	33-16,200	68-18,700
Storage Areas	6-661	14-781	33-825

Based on the results of the first phase of RI activities, a removal action was carried out by the EPA Emergency Response Contractor in October and November 1991. EPA determined that the removal action was necessary because the highly contaminated soils posed a threat to groundwater. Approximately 1,068 tons of highly contaminated soils adjacent to the treatment building and drip pad were excavated and transported to the ESI hazardous waste disposal facility in Idaho for disposal. Security fencing was also installed around the treatment building to prevent access. During the excavation it was determined that the treatment building foundation and soil beneath the building were also contaminated, and that the contaminated material could not be removed without demolishing the treatment building.

ICF Technology, the EPA contractor, collected and analyzed post-removal data for soils in the drip pad area, and completed the characterization of contamination at the treatment building, the lumber storage areas, and lumber

drying building. Although a significant reduction in the volume of highly contaminated soil in the treatment building/drip pad areas was achieved during the removal action in the fall of 1991, highly contaminated soil (similar to pre-removal maximum values) remained where the soil was not removed. The contractor also performed quarterly monitoring of the monitor wells, on-site spring, and City of Enterprise water supply springs. Groundwater monitoring was performed in October 1990; January, April, and September 1991; and April 1992. Results for the October 1990 sampling event showed that monitoring well MW2, which is located directly downstream and adjacent to the treatment building location, showed levels of arsenic (82 ug/l and 168 ug/l for the sample and the sample duplicate, respectively) above the Safe Drinking Water Act Maximum Contaminant Level (MCL). Three on-site monitoring wells also showed total chromium levels slightly above the MCL. Results for the other sampling

events showed very low but detectable levels of metals (below the MCL) for all of the on-site and off-site monitoring wells. There has been no evidence of contamination of the City of Enterprise's water supply.

The risk assessment indicated a potential risk of exposure by ingestion of soil and groundwater under current and future use scenarios. The greatest potential risk at the Site was due to carcinogenic and noncarcinogenic effects from ingestion of contaminated soils. Arsenic was the contaminant posing the greatest health risk.

The RI/FS were completed in September 1992. EPA issued a Proposed Plan describing the preferred alternative for Site cleanup in August 1992.

EPA issued a ROD on September 30, 1992 which selected the following remedy:

- Excavation of contaminated surface and subsurface soil to specified cleanup levels, demolition of the treatment building, decontamination of the drip pad and treatment equipment, and off-site disposal of soils and debris.

- Excavation of abandoned Underground Storage Tanks (USTs), decontamination of the tanks if any residuals are present, and transport of the tanks off-site for disposal or salvage as scrap metal. Contaminated soil would be excavated and disposed off-site.

- Removal of asbestos from the abandoned wood drying building and off-site disposal in a trench meeting regulatory requirements for asbestos waste disposal.

- Use of institutional controls such as deed restrictions, or use of an environmental notice to ensure appropriate consideration of Site conditions in future land use decisions.

- Implement a groundwater monitoring program to verify that contaminant levels in all wells and the City of Enterprise water supply allow for unlimited use.

The selected remedy eliminates the principal threat posed by the conditions at the Site by reducing the potential for human exposure to high concentrations of metals detected in the Site soils.

Based on the nature of the cleanup and EPA's desire to complete the remedy prior to the early summer high groundwater season, EPA decided to complete the remedy through a Removal Action. EPA executed an Interagency Agreement with the US Army Corps of Engineers (USACE) to carry out the remedy and a Final Project Work Plan was completed in February 1993. The JFP Site Removal Action was initiated on March 31, 1993. The removal action was carried out by OHM Remediation Services under a contract with the Corps of Engineers.

Demolition of the treatment building began on April 1, 1993. The wooden structure was completely removed and shredded and internal tanks were relocated to a staging area for cleaning. Contaminated pipes and pump equipment were stockpiled for disposal. The concrete slab and sump were broken and removed to a stockpile area.

The mixing tank, solution holding tank and retort vessel from the treatment building were cleaned using a vacublast system. The system used an aluminum oxide grit that was applied under pressure to the contaminated surface and collected the contaminated grit. After cleaning, the tanks were inspected and picked up by a local scrap dealer for recycling. Decontamination of the drip pad was also completed using the vacublast equipment.

Asbestos fabric removal was completed and a penetrating encapsulant was applied to the walls of the lumber drying building by a licensed asbestos subcontractor. The underground storage tanks were

removed and disposal was completed in accordance with state requirements.

Excavation, off-site disposal of contaminated soils and debris, and backfilling with clean fill was completed on May 9, 1993. A total of 1,642 tons of soil and debris was disposed at the ESI hazardous waste disposal facility and 4,801 tons of contaminated soil and debris was disposed at the Finley Buttes special waste landfill in Oregon.

C. Characterization of Risk

Prior to cleanup, the preliminary environmental pathways of concern were potential direct contact with contaminated soil and debris and potential ingestion of contaminated ground water. The arsenic and chromium contamination in the Site soils were associated with an excess lifetime cancer risk of approximately 5×10^{-3} . The risk assessment estimated a Hazard Index value of 82 for noncancer health effects for the highly contaminated soil in the treatment building area. Cleanup standards for the Site were developed based on risk-based remedial action objectives in the ROD. EPA selected cleanup goals of 36 mg/kg arsenic for surface soil and 336 mg/kg arsenic for subsurface (greater than 2 ft. depth) soil. EPA selected the more stringent cleanup level for surface soil because this is where the greatest potential for human contact exists. It is also approximately equal to the 1×10^{-4} risk level assuming future residential scenarios and, although the current zoning is for industrial use, there are residents located near the Site. The ROD also established chromium and copper cleanup levels of 1,351 mg/kg and 10,000 mg/kg, respectively, associated with Hazard Index of 1.

The remedial action objectives for groundwater protection were to prevent migration of arsenic and chromium from soil resulting in groundwater concentrations above MCLs. The MCLs are 50 ug/l for arsenic and 100 ug/l for chromium. The soil cleanup meets the objectives for groundwater protection by removing the source of contamination.

Confirmatory soil sampling verifies that the Site has achieved the ROD cleanup objective, that arsenic has been removed to levels below 36 mg/kg for surface soil and 336 mg/kg for subsurface soil and that chromium and copper have been removed to levels below 1,351 mg/kg and 10,000 mg/kg, respectively for both surface and subsurface soil. The ROD required that the existing monitoring network of wells and springs be sampled semi-annually for a period of two years following completion of the remedial action. The

primary purpose of the monitoring was to verify that the City's water supply has been adequately protected. The results from samples collected by EPA and DEQ since the cleanup was completed have shown that none of the monitoring well locations or springs have measured levels of metal concentrations above the MCLs for either total or dissolved metals. The ROD also provided that monitoring results be evaluated after two years to determine whether monitoring should be continued. DEQ completed the final round of groundwater and surface water sampling in 1996. EPA and DEQ subsequently determined that the groundwater and surface water monitoring required by the ROD has been completed and no further monitoring will be required.

All cleanup actions specified in the ROD have been implemented. Furthermore, EPA has removed all other contamination detected to acceptable risk levels. Confirmatory groundwater sampling and backfilling the Site with clean soil provide further assurance that the Site no longer poses any threats to human health or the environment. Removal of contaminated soil and debris has eliminated direct contact as a potential route of exposure and removed the source of ground-water contamination.

With the implementation and completion of all remedial activities, the Site no longer poses any threat to human health or the environment, insuring that no further action is required. With the exception of abandoning of monitoring wells, there are no other operation and maintenance activities to be performed at the Site.

The ROD required institutional controls such as deed restrictions, or use of an environmental notice to ensure appropriate consideration of Site conditions in future land use decisions. EPA reviewed a copy of the warranty deed to confirm that it includes the environmental notice, and provides for EPA and DEQ access for cleanup activities, including water sampling and testing, and monitor well abandonment. EPA believes that the institutional controls as stated in the ROD and as implemented are protective.

EPA conducted a five-year review of the Site in September, 1998. The review included a visual inspection of the Site and review of the institutional controls. EPA determined that the Site remains protective of human health and the environment.

D. Public Participation

EPA conducted meetings and interviews with local officials and other

members of the community in April 1990, and published the Community Relations Plan for the Site in June 1990. EPA also established a mailing list for distribution of fact sheets and other information updating Site activities. An information repository, which included the administrative record for the Site, was established at the Wallowa County Planning Department to make information about the Site available for public review. EPA attended Enterprise City Council meetings during the investigation and cleanup to provide updates on planning and construction activities.

A public comment period was held from August 17, 1992 to September 16, 1992 on EPA's proposed remedial action and other alternatives. No comments were received and no public hearings were requested.

A copy of the Deletion Docket can be reviewed by the public at the Wallowa County Planning Department, or the EPA Region 10 Superfund Records Center. The Deletion Docket includes this Notice, the Removal Action Memos, the ROD, Remedial Action Construction Report, 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 "all appropriate Fund-financed responses under CERCLA have been implemented, and no further action by responsible parties is appropriate." EPA, with the concurrence of ODEQ, believes that this criterion for deletion has been met. Soil and groundwater 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 24, 1999.

Charles E. Findley,
Acting Regional Administrator, Region 10.
[FR Doc. 99-22632 Filed 8-30-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-6430-9]

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

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete McCarty's/Pacific Hide and Fur Site from the National Priorities List; request for comments.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the McCarty's/Pacific Hide and Fur Site in Pocatello, Idaho 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 Idaho Division of Environmental Quality (IDEQ) 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 30, 1999.

ADDRESSES: Comments may be mailed to Beverly Gaines, Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop ECL-110, Seattle, Washington 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the McCarty's/Pacific Hide and Fur Site information repositories at the following locations:

Pocatello Public Library, 812 E. Clark Street, Pocatello, Idaho 83201; or United States Environmental Protection Agency, Region 10 Office of Environmental Cleanup—Records Center, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Beverly Gaines, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop ECL-110, Seattle, Washington 98101, (206) 553-1066.

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 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 McCarty's/Pacific Hide and Fur Site ("Site") at 3575 Highway 30 West, Pocatello Idaho, 83201, from the NPL.

EPA will accept comments on the plan to delete this Site for thirty days after publication of this document 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 McCarty's/Pacific Hide and Fur 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:

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