

Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203. Copies of the Commonwealth's submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and the Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

**FOR FURTHER INFORMATION CONTACT:** Anne E. Arnold, (617) 565-3166.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is located in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: July 17, 1996.

John P. DeVillars,

*Regional Administrator, Region I.*

[FR Doc. 96-21693 Filed 8-26-96; 8:45 am]

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#### 40 CFR Part 300

[ID CAD065021594; FRL-5558-8]

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete Louisiana-Pacific Superfund Site from the National Priorities List: Request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA), Region 9, announces its intent to delete the Louisiana-Pacific Site (the "Site") in Oroville, California, 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), promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of California Department of Toxic Substances Control have determined that the Site poses no significant threat to human health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

**DATES:** Comments concerning the proposed deletion of this Site from the NPL may be submitted on or before September 26, 1996.

**ADDRESSES:** Comments may be mailed to the following address: Keith Takata, Director, Superfund Division, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

Comprehensive information on this Site is available through the EPA Region 9 public docket, which is located at EPA Region 9's Superfund Records Center, at the address above, and is available for viewing between 8 a.m. and 5 p.m., Monday through Friday, excluding holidays. Additional information on the Louisiana-Pacific Superfund Site, including that contained in the public docket, is also available for viewing at the Site repositories:

Butte County Public Library, 1820 Mitchell Avenue, Oroville, CA 95966, (916) 538-7596

Meriam Library, California State University at Chico, Chico, CA 95929-0295, (916) 898-5710

**FOR FURTHER INFORMATION CONTACT:**

Frederick Schaffler, U.S. Environmental Protection Agency, 75 Hawthorne Street (H-7-2), San Francisco, CA 94105, (415) 744-2359.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

The Environmental Protection Agency (EPA), Region 9, announces its intent to delete the Louisiana-Pacific Site, located in Oroville, California, from the National Priorities List (NPL) and requests comments on this deletion. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. EPA identifies sites that present a significant risk to public health, welfare, or the environment and maintains the NPL as a list of those sites. 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 action.

EPA will accept comments on the proposal to delete this Site for thirty 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 Louisiana-Pacific Site and explains how the Site meets the deletion criteria.

#### II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that releases may be deleted from, or recategorized on, the NPL when no further response is appropriate. In making a determination to delete a release 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; or

(ii) All appropriate response under CERCLA has 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.

The levels of hazardous substances, pollutants, or contaminants that remain at the Site are within the levels that allow for unlimited use and unrestricted exposure. Thus, subsequent review of the Site pursuant to section 121(c) of CERCLA, will not be required. If new information that indicates a need for further action becomes available, EPA may initiate response actions. Wherever 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 9 has recommended deletion and has prepared the relevant documents; (2) the State of California 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 local Site information repositories.

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

For deletion of this Site, EPA's Regional Office will accept and evaluate

public comments on EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary to address any significant public comments 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 interested parties by the Regional Office.

#### IV. Basis for Intended Site Deletion

##### A. Site Background

The Louisiana-Pacific (L-P) Superfund Site consists of a wood processing plant and landfill located in Butte County just south of the city limits of Oroville, California (population 10,560). The plant and landfill are located about 1/2 mile apart and are separated by the Koppers Company, Inc., Superfund site, which is also on the NPL.

Log storage, lumber production and hardboard manufacturing take place at the L-P plant. It lies in the Feather River floodplain at an elevation of about 145 feet above mean sea level in an area of tailings piles created by dredger mining activities that ceased around 1936. The northern part of the plant is occupied by buildings and paved with asphalt. The central part of the plant has been graded relatively level for log storage. The western margin and southwest corner of the plant retain much of the historic, irregular dredge-tailing topography since modified by quarrying for log-deck base material.

Land use in the vicinity of the Site is mixed agricultural, residential, commercial and industrial. One- to five-acre farms exist, and much of the produce and livestock is raised for home use and not sold commercially. Residential areas are located to the south, southeast, west and northeast of the Site. Three schools are located within a two-mile radius of the Site.

##### B. History

Georgia-Pacific Corporation purchased the present L-P site in 1969 and completed construction of the sawmill facility in 1970. Louisiana-Pacific Corporation took control of the property in 1973. The hardboard facility was constructed in 1973, and L-P began operations at the landfill in 1978.

Between 1970 and 1984, L-P used a fungicide spray containing pentachlorophenol (PCP) to prevent fungal discoloration of sawn lumber. In 1973, a state agency discovered PCP

contamination in local groundwater south of the L-P and Koppers plants. PCP contamination was also detected in surface water, sawdust and wood waste at the L-P plant and landfill. As a result, the L-P site was placed on the NPL in February 1986. In December 1986, EPA began remedial investigations of surface water, soil, sediment, groundwater, wood waste and air at the L-P site to characterize the nature and extent of contamination. EPA issued the Remedial Investigation (RI) report and the Endangerment Assessment in 1989. Concurrent investigations of air quality were conducted by L-P and the Butte County Air Pollution Control District over a one-year period beginning in 1988. The Feasibility Study (FS) report was issued in May 1990.

In September 1990, EPA issued an Interim Record of Decision that required institutional controls as well as further soil sampling for arsenic and groundwater monitoring for arsenic and formaldehyde. L-P conducted the required sampling and monitoring pursuant to an administrative order issued by EPA in July 1991. The results indicated that contaminant concentrations in soil and groundwater at the Site do not pose a significant risk to human health or the environment. EPA issued a final ROD in August, 1995, documenting that no further remedial action was necessary at the L-P site.

##### C. Community Relations Activities

Fact sheets were sent out to the public at key progress points in the investigation. Technical exchange meetings were held monthly or bimonthly at the Site during the field work phase of the RI, with representatives of public agencies and local citizen groups invited to attend. RI/FS documents, including the Remedial Investigation report, the Endangerment Assessment report, and the Feasibility Study report, were sent to the local libraries and a representative of a community group. Similarly, documents prepared by L-P and EPA following the 1990 Interim ROD also were sent to local libraries.

The May 1995 proposed plan was distributed using EPA's mailing list for this site. A public comment period on the proposed plan was held between May 20, 1995 and June 19, 1995. Public notice appeared in local newspapers, including the Oroville Mercury-Register, prior to the opening of the public comment period. A formal public meeting was held on June 1, 1995.

##### D. Characterization of Risk

The results of the EPA and L-P investigations have shown that

groundwater, surface water, soil, sediment and wood waste contain various contaminants used by L-P and Koppers. Concentrations on the L-P plant were found to be highest in an area along the L-P/Koppers boundary. Contaminants in this area will be addressed as part of the Koppers cleanup. Although PCP, arsenic and formaldehyde were detected in soils and groundwater elsewhere at the L-P site, the concentrations were below state and federal drinking water standards (for arsenic and PCP) and health-based levels of concern (for formaldehyde). EPA believes that conditions at the Site pose no unacceptable risks to human health or the environment.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "all appropriate response under CERCLA has been implemented and no further action by responsible parties is appropriate". EPA, with the concurrence of the California Department of Toxic Substances Control, believes that this criterion for deletion has been met. Consequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available in the Regional NPL Docket.

Dated: August 9, 1996.

Felicia Marcus,

*Regional Administrator.*

[FR Doc. 96-21572 Filed 8-26-96; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 20

[CC Docket No. 94-54; FCC 96-284]

### Provision of Roaming Services by Commercial Mobile Radio Service Providers

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission adopts a *Second Report and Order* and *Third Notice of Proposed Rulemaking* regarding the offering of roaming services by commercial mobile radio service providers. The *Second Report and Order* portion of this decision is summarized elsewhere in this issue of the Federal Register. The *Third Notice of Proposed Rulemaking (Third NPRM)* seeks comment on whether the Commission should adopt rules governing cellular, broadband personal communications services and certain specialized mobile radio (covered SMR)