

maintenance. The Final Soil Operation, Maintenance, and Monitoring Plan establishes an inspection, monitoring, and maintenance program and a schedule of activities for the first five years following the 2014 completion of the soil RA. Chevron is responsible for OM&M activities and EPA is responsible for oversight.

Institutional Controls/Restrictions on Use of the Site

The soil remedy for the Site includes institutional controls to restrict future property use to commercial and recreational purposes and to limit actions that could interfere with the remedy (the caps). Consistent with the institutional controls selected in the ROD Amendment, EPA, DTSC, and Chevron developed a land use covenant to restrict the use of the Site; this covenant was recorded at the Ventura County Recorder's Office on August 19, 2016, and "runs with the land," meaning the restrictions are binding on current and subsequent property owners and remain in effect until they are formally removed or modified. A copy of the covenant is in the docket.

2016 Five-Year Review

EPA conducts reviews every five years to determine if remedies are functioning as intended and if they continue to be protective of human health and the environment. Because contaminants remain in the PCPL Site soil above levels that would allow for unlimited use and unrestricted exposure, EPA will continue to conduct five-year reviews, as required by statute. EPA issued the Fourth Five-Year Review Report on August 22, 2016, and concluded that the soil remediation is complete and the remedy at the PCPL Site is functioning as intended and is protective of human health and the environment in both the short-term and the long-term. There were no issues or recommendations. EPA will conduct the next five-year review in 2021.

Community Involvement

EPA prepared a Community Involvement Plan in 2011. EPA held numerous community meetings before and during the soil cleanup, and issued fact sheets and postcard updates. EPA also conducted Site tours before the soil cleanup began. At EPA's request, the Agency for Toxic Substances and Disease Registry prepared a Health Consultation that evaluated the possible health effects from airborne dust at the Site. It concluded that community members were not likely to be exposed to lead or PAHs in Site soil or dust at levels that could cause health effects.

EPA released a fact sheet shortly before publication of this Notice informing the community of the proposal to delete the surface soil portion of the Site from the NPL and how to submit comments.

Determination That the Criteria for Deletion Have Been Met

EPA has followed all procedures required by 40 CFR 300.425(e). Deletion from the NPL. EPA consulted with the State of California prior to developing this Notice. EPA determined that the responsible party has implemented all appropriate response actions required and that no further response action for the surface soil portion of the Site is appropriate. EPA is publishing a notice in two major local newspapers, The Ventura County Star and the Fillmore Gazette, of its intent to partially delete the Site and how to submit comments. EPA placed copies of documents supporting the proposed partial deletion in the Site information repositories; these documents are available for public inspection and copying.

The implemented soil remedy achieved the degree of cleanup and protection specified in the ROD Amendment for the surface soil portion of the Site. The selected remedial action objectives and associated cleanup levels for the surface soil are consistent with agency policy and guidance. Based on information currently available to EPA, no further Superfund response in the area proposed for deletion is needed to protect human health and the environment.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(d); 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p.306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: December 18, 2017.

Alexis Strauss,

Acting Regional Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA–HQ–SFUND–1987–0002; FRL–9972–37—Region 3]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the C&D Recycling Superfund Site

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; notice of intent.

SUMMARY: The Environmental Protection Agency (EPA) Region III is issuing a Notice of Intent to Delete the C&D Recycling Superfund Site (Site) located in Foster Township, Pennsylvania, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the Commonwealth of Pennsylvania, through the Pennsylvania Department of Environmental Protection (PADEP), have determined that all appropriate response actions under CERCLA, have been completed. However, this deletion does not preclude EPA from taking future actions at the Site under Superfund.

DATES: Comments must be received by January 25, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–SFUND–1987–0002, at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy,

information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Gregory Voigt, Remedial Project Manager, U.S. Environmental Protection Agency, Region III, Mail Code 3HS21, 1650 Arch Street, Philadelphia, PA 19001, (215) 814-5737, email: voigt.gregory@epa.gov.

SUPPLEMENTARY INFORMATION: In the “Rules and Regulations” section of today’s **Federal Register**, we are publishing a direct final Notice of Deletion of the C&D Recycling Superfund Site without prior Notice of Intent to Delete because we view this as a noncontroversial revision and anticipate no adverse comment. We

have explained our reasons for this deletion in the preamble to the direct final Notice of Deletion, and those reasons are incorporated herein. If we receive no adverse comment(s) on this deletion action, we will not take further action on this Notice of Intent to Delete. If we receive adverse comment(s), we will withdraw the direct final Notice of Deletion, and it will not take effect. We will, as appropriate, address all public comments in a subsequent final Notice of Deletion based on this Notice of Intent to Delete. We will not institute a second comment period on this Notice of Intent to Delete. Any parties interested in commenting must do so at this time.

For additional information, see the direct final Notice of Deletion which is

located in the *Rules* section of this **Federal Register**.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1321(d); 42 U.S.C. 9601-9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: December 1, 2017.

Cosmo Servidio,

Regional Administrator, EPA, Region III.

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