

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA-HQ-SFUND-1983-0002, EPA-HQ-SFUND-1986-0005, EPA-HQ-SFUND-1987-0002, EPA-HQ-SFUND-1989-0011, EPA-HQ-SFUND-1990-0010, EPA-HQ-SFUND-1990-0011, EPA-HQ-SFUND-1993-0001, EPA-HQ-SFUND-2000-0004, EPA-HQ-SFUND-2002-0008, EPA-HQ-SFUND-2003-0010, EPA-HQ-SFUND-2005-0011, EPA-HQ-SFUND-2006-0759, EPA-HQ-SFUND-2009-0587, EPA-HQ-SFUND-2011-0076, EPA-HQ-SFUND-2011-0077; FRL-8923-03-OLEM]

Deletions From the National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of nine sites and the partial deletion of eleven sites from the Superfund National Priorities List (NPL). The NPL, created under 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 states, through their designated state agencies, have determined that all appropriate response actions under CERCLA, other than operation and maintenance, monitoring, and five-year reviews, where applicable, have been completed. However, this deletion does not preclude future actions under Superfund.

DATES: Effective on September 14, 2021.

ADDRESSES:

Docket: EPA has established a docket for this action under the Docket Identification included in Table 1 in the **SUPPLEMENTARY INFORMATION** section of this document. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy

form. Publicly available docket materials are available either electronically through <https://www.regulations.gov> or in hard copy at the corresponding Regional Records Centers. Locations, addresses, and phone numbers of the Regional Records Centers follow.

Regional Records Centers:
 • Region 2 (NJ, NY, PR, VI), U.S. EPA, 290 Broadway, New York, NY 10007-1866; 212/637-430842.

• Region 3 (DE, DC, MD, PA, VA, WV), U.S. EPA, Library, 1650 Arch Street, Mail code 3SD42, Philadelphia, PA 19103; 215/814-3024.

• Region 4 (AL, FL, GA, KY, MS, NC, SC, TN), U.S. EPA, 61 Forsyth Street SW, Mail code 9T25, Atlanta, GA 30303; 404/562-8637.

• Region 5 (IL, IN, MI, MN, OH, WI), U.S. EPA Superfund Division Records Manager, Mail code SRC-7J, Metcalfe Federal Building, 7th Floor South, 77 West Jackson Boulevard, Chicago, IL 60604; 312/886-4465.

• Region 7 (IA, KS, MO, NE), U.S. EPA, 11201 Renner Blvd., Mail code SUPR, Lenexa, KS 66219; 913/551-7956.

• Region 8 (CO, MT, ND, SD, UT, WY), U.S. EPA, 1595 Wynkoop Street, Mail code Records Center, Denver, CO 80202-1129; 303/312-7273.

• Region 10 (AK, ID, OR, WA), U.S. EPA, 1200 6th Avenue, Suite 155, Mail stop OMP-161, Seattle, WA 98101; 206/553-4494.

The EPA is temporarily suspending Regional Records Centers for public visitors to reduce the risk of transmitting COVID-19. Information in these repositories, including the deletion docket, may not be updated with hardcopy or electronic media. For further information and updates on EPA Docket Center services, please visit us online at <https://www.epa.gov/dockets>.

The EPA continues to carefully and continuously monitor information from the Centers for Disease Control and Prevention (CDC), local area health departments, and our Federal partners so that we can respond rapidly as conditions change regarding COVID.

FOR FURTHER INFORMATION CONTACT:

• Mabel Garcia, U.S. EPA Region 2 (NJ, NY, PR, VI), garcia.mabel@epa.gov, 212/637-4356

• Andrew Hass, U.S. EPA Region 3 (DE, DC, MD, PA, VA, WV), hass.andrew@epa.gov, 215/814-2049

• Leigh Lattimore or Brian Farrier, U.S. EPA Region 4 (AL, FL, GA, KY, MS, NC, SC, TN), lattimore.leigh@epa.gov or farrier.brian@epa.gov, 404/562-8768 or 404/562-8952.

• Karen Cibulskis, U.S. EPA Region 5 (IL, IN, MI, MN, OH, WI), cibulskis.karen@epa.gov, 312/886-1843

• David Wennerstrom, U.S. EPA Region 7 (IA, KS, MO, NE), wennerstrom.david@epa.gov, 913/551-7996

• Linda Kiefer, U.S. EPA Region 8 (CO, MT, ND, SD, UT, WY), kiefer.linda@epa.gov, 303/312-6689

• Linda Meyer, U.S. EPA Region 10 (AK, ID, OR, WA), meyer.linda@epa.gov, 206/553-6636

• Chuck Sands, U.S. EPA Headquarters, sands.charles@epa.gov, 703/603-8857

SUPPLEMENTARY INFORMATION: The NPL, created under section 105 of CERCLA, as amended, is an appendix of the NCP. 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. Partial deletion of sites is in accordance with 40 CFR 300.425(e) and are consistent with the Notice of Policy Change: Partial Deletion of Sites Listed on the National Priorities List, 60 FR 55466, (November 1, 1995). The sites to be deleted and partially deleted from the NPL are listed in Table 1, including docket information containing reference documents with the rationale and data principally relied upon by the EPA to determine that the Superfund response is complete. The NCP permits activities to occur at a deleted site, or that media or parcel of a partially deleted site, including operation and maintenance of the remedy, monitoring, and five-year reviews. These activities for the site are entered in Table 1 in this

SUPPLEMENTARY INFORMATION section, if applicable, under Footnote such that; 1=site has continued operation and maintenance of the remedy, 2=site receives continued monitoring, and 3=site five-year reviews are conducted. As described in 40 CFR 300.425(e)(3) of the NCP, a site or portion of a site deleted from the NPL remains eligible for Fund-financed remedial action if future conditions warrant such actions.

TABLE 1

Site name	City/county, state	Type	Docket No.	Footnote
Reich Farms	Pleasant Plains, NJ	Full	EPA-HQ-SFUND-1983-0002	2, 3
Butler Mine Tunnel	Pittston, PA	Full	EPA-HQ-SFUND-1987-0002
Airco	Calvert City, KY	Full	EPA-HQ-SFUND-2005-0011	1, 2, 3

TABLE 1—Continued

Site name	City/county, state	Type	Docket No.	Footnote
Chemfax, Inc	Gulfport, MS	Partial	EPA-HQ-SFUND-1993-0001	1, 2, 3
Kerr-McGee Chemical Corp-Navassa	Navassa, NC	Partial	EPA-HQ-SFUND-2009-0587	
T.H. Agriculture & Nutrition (Montgomery)	Montgomery, AL	Partial	EPA-HQ-SFUND-1990-0011	1, 2, 3
US Finishing/Cone Mills	Greenville, SC	Partial	EPA-HQ-SFUND-2011-0077	
Arrowhead Refinery Co	Hermantown, MN	Full	EPA-HQ-SFUND-2005-0011	2, 3
Barrels, Inc	Lansing, MI	Full	EPA-HQ-SFUND-1989-0011	1, 3
Bennett Stone Quarry	Bloomington, IN	Full	EPA-HQ-SFUND-2005-0011	1, 2, 3
Lemon Lane Landfill	Bloomington, IN	Full	EPA-HQ-SFUND-1983-0002	1, 2, 3
South Minneapolis Residential Soil Contamination.	Minneapolis, MN	Partial	EPA-HQ-SFUND-2006-0759	
United Scrap Lead Co., Inc	Troy, OH	Full	EPA-HQ-SFUND-2005-0011	1, 3
Neal's Landfill (Bloomington)	Bloomington, IN	Full	EPA-HQ-SFUND-1983-0002	1, 2, 3
Missouri Electric Works	Cape Girardeau, MO	Partial	EPA-HQ-SFUND-1990-0010	1, 3
Omaha Lead	Omaha, NE	Partial	EPA-HQ-SFUND-2003-0010	1, 3
Riverfront	New Haven, MO	Partial	EPA-HQ-SFUND-2000-0004	1, 2, 3
Libby Asbestos	Libby, MT	Partial	EPA-HQ-SFUND-2002-0008	1, 3
Eagle Mine	Minturn/Redcliff, CO	Partial	EPA-HQ-SFUND-1986-0005	1, 3
North Ridge Estates	Klamath Falls, OR	Partial	EPA-HQ-SFUND-2011-0076	1, 3

Information concerning the sites to be deleted and partially deleted from the NPL, the proposed rule for the deletion and partial deletion of the sites, and information on receipt of public comment(s) and preparation of a Responsiveness Summary (if applicable) are included in Table 2 as follows:

TABLE 2

Site name	Date, proposed rule	FR citation	Public comment	Responsiveness summary	Full site deletion (full) or media/parcels/description for partial deletion
Reich Farms	5/14/2021	86 FR 26452 ..	Yes	No	Full.
Butler Mine Tunnel	5/14/2021	86 FR 26452 ..	Yes	Yes	Full.
Airco	5/14/2021	86 FR 26452 ..	No	No	Full.
Chemfax, Inc	5/14/2021	86 FR 26452 ..	No	No	11-acres of soils, sediments.
Kerr-McGee Chemical Corp-Navassa.	5/14/2021	86 FR 26452 ..	No	No	20.2-acres Operable Unit (OU) 1 soils.
T.H. Agriculture & Nutrition (Montgomery).	5/14/2021	86 FR 26452 ..	No	No	16.4-acres soils/sediments.
US Finishing/Cone Mills	5/14/2021	86 FR 26452 ..	No	No	150-acres OU 2 with soils, sediments and surface water.
Arrowhead Refinery Co	5/14/2021	86 FR 26452 ..	No	No	Full.
Barrels, Inc	5/14/2021	86 FR 26452 ..	No	No	Full.
Bennett Stone Quarry	5/14/2021	86 FR 26452 ..	Yes	No	Full.
Lemon Lane Landfill	5/14/2021	86 FR 26452 ..	Yes	No	Full.
South Minneapolis Residential Soil Contamination.	5/14/2021	86 FR 26452 ..	No	No	Five of remaining nine properties on NPL.
United Scrap Lead Co., Inc	5/14/2021	86 FR 26452 ..	No	No	Full.
Neal's Landfill (Bloomington)	5/14/2021	86 FR 26452 ..	Yes	No	Full.
Missouri Electric Works	5/14/2021	86 FR 26452 ..	No	No	6.4-acre site property OU 1 soils and OU 3 sediments.
Omaha Lead	5/14/2021	86 FR 26452 ..	No	No	96 residential parcels.
Riverfront	5/14/2021	86 FR 26452 ..	No	No	1.4-acre OU 3 Old City Dump soil, groundwater, surface water, seeps.
Libby Asbestos	5/14/2021	86 FR 26452 ..	No	No	OU 8 Roads and Highways (30 miles of roads and right-of-way).
Eagle Mine	5/14/2021	86 FR 26452 ..	Yes	Yes	50-acre OU 2 Town of Gilman soils.
North Ridge Estates	5/14/2021	86 FR 26452 ..	No	No	125-acre OU 1 includes Northridge Estates and former Marine Recup-eration Barracks soils.

For all sites proposed for deletion, the closing date for comments in the proposed rule was June 14, 2021. The EPA received comments on six of the sites included for deletion or partial deletion in this final rule. The Bennett Stone Quarry site and the Lemon Lane Landfill site each received one public comment supportive of the proposed deletion. The Neal's Landfill (Bloomington) site received two public comments supportive of the deletion. Because no adverse comment was received for these three sites, no Responsiveness Summaries were prepared. The Reich Farms site received an inquiry concerning the proposed deletion action. EPA responded to the inquiry by providing information available in the deletion docket to the

commenter. Because the comment was not adverse to the proposed deletion of the Reich Farms site, EPA did not prepare a Responsiveness Summary. EPA still believes the deletion action is appropriate. EPA placed the comment and a memorandum explaining EPA's response to the inquiry in the docket, EPA-HQ-SFUND-1983-0002, on <https://www.regulations.gov>, and in the Regional repository listed in the Addresses section.

The Butler Mine Tunnel site received one written comment and EPA prepared a Responsiveness Summary. The commenter did not agree with EPA's decision to delete the Butler Mine Tunnel Site from the NPL. The commenter did express concern that the storm drains in their town may be connected to boreholes which convey stormwater into underground mines. The commenter requested an investigation of their concerns, including the collection of air samples and use of camera system. Finally, the commenter expressed concern that cancer cases in their community are located near storm drains. The commenter did not specify what boreholes or underground mines they are concerned about, and did not provide their address/location, or the name of the town they refer to in their comment. The commenter did not offer any information specific to the Butler Mine Tunnel site to demonstrate that NPL deletion criteria were not met. EPA has determined that it is appropriate to proceed with the deletion because all response actions at the site are complete and the criteria for deletion have been met. A Responsiveness Summary was prepared and placed in the docket, EPA-HQ-SFUND-1987-0002, on <https://www.regulations.gov>, and in the Regional repository listed in the ADDRESSES section.

The Eagle Mine site received one comment. The commenter requested clarification regarding the purpose of the proposed partial deletion of OU2,

the Town of Gilman, and an explanation as to what differentiates the Gilman portion of OU2 from other sources of contamination at the site. The purpose of the proposed deletion is to document cleanup completion of the Eagle Mine Superfund Site OU2. All response requirements in the OU2 Record of Decision are implemented and as such, OU2 qualifies for partial deletion from the NPL. EPA has determined that it is appropriate to proceed with the deletion because all response actions at the site are complete and the criteria for partial deletion have been met. A

Responsiveness Summary was prepared and placed in the docket, EPA-HQ-SFUND-1986-0005, on <https://www.regulations.gov>, and in the Regional repository listed in the ADDRESSES section.

For all other sites not specified above, no adverse comments were received.

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of a site from the NPL does not affect responsible party liability in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

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

Dated: September 2, 2021.

Larry Douchand,

Office Director, Office of Superfund Remediation and Technology Innovation.

For reasons set out in the preamble, the EPA amends 40 CFR part 300 as follows:

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

■ 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1251 *et seq.*; 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.

■ 2. In appendix B to part 300 amend Table 1 by:

■ a. Revising the entries for “AL, T.H. Agriculture & Nutrition (Montgomery), Montgomery”; “CO, Eagle Mine, Minturn/Redcliff”;

■ b. Removing the entries for “IN, Bennett Stone Quarry, Bloomington”; “IN, Lemon Lane Landfill, Bloomington”; “IN, Neal’s Landfill (Bloomington), Bloomington”; “KY, Airco, Calvert City”; “MI, Barrels, Inc., Lansing”; “MN, Arrowhead Refinery Co., Hermantown”;

■ c. Revising the entries for “MO, Missouri Electric Works, Cape Girardeau”; “MO, Riverfront, New Haven”; “MS, Chemfax, Inc., Gulfport”; “NC, Kerr-McGee Chemical Corp-Navassa, Navassa”;

■ d. Removing the entries for “NJ, Reich Farms, Pleasant Plains”; “OH, United Scrap Lead Co., Inc., Troy”;

■ e. Revising the entry for “OR, North Ridge Estates, Klamath Falls”;

■ f. Removing the entry for “PA, Butler Mine Tunnel, Pittston”; and

■ g. Revising the entry for “SC, US Finishing/Cone Mills, Greenville”.

The revisions read as follows:

Appendix B to Part 300—National Priorities List

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes (a)
AL	T.H. Agriculture & Nutrition (Montgomery)	Montgomery	P
*	*	*	*
CO	Eagle Mine	Minturn/Redcliff	P
*	*	*	*
MO	Missouri Electric Works	Cape Girardeau	P
*	*	*	*
MO	Riverfront	New Haven	P
*	*	*	*
MS	Chemfax, Inc	Gulfport	P

TABLE 1—GENERAL SUPERFUND SECTION—Continued

State	Site name	City/county	Notes (a)
NC	Kerr-McGee Chemical Corp-Navassa	Navassa	P
OR	North Ridge Estates	Klamath Falls	P
SC	US Finishing/Cone Mills	Greenville	P

* P = Sites with partial deletion(s).

[FR Doc. 2021-19448 Filed 9-13-21; 8:45 am]
BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 79

[CG Docket No. 05-231; FCC 16-17; FRS 41603]

Closed Captioning of Video Programming; Telecommunications for the Deaf and Hard of Hearing Inc. Petition for Rulemaking

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: This document corrects the final rules portion of a **Federal Register** document published on August 23, 2016. That **Federal Register** document inadvertently removed existing rules requiring video programming distributors to exercise best efforts to obtain certifications of compliance from video programmers and requiring video programmers adopting Best Practices to certify to video programming distributors regarding adherence to Best Practices and to make those certifications widely available. That **Federal Register** document also prematurely amended rules to require video programmer registration and certification of compliance.

DATES:

Effective date: Effective on September 14, 2021.

Compliance date: The compliance date of section § 79.1(m) is stayed indefinitely. The Commission will publish a document in the **Federal Register** announcing the new compliance date.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Michael Scott, Consumer and

Governmental Affairs Bureau, (202) 418-1264, or email: *Michael.Scott@fcc.gov*.

SUPPLEMENTARY INFORMATION: This document corrects the final rules document published at 81 FR 57473, August 23, 2016.

List of Subjects in 47 CFR Part 79

Cable television operators, Communications equipment, Multichannel video programming distributors (MVPDs), Satellite television service providers.

Federal Communications Commission.

Katura Jackson,
Federal Register Liaison Officer.

Final Rules

Accordingly, 47 CFR part 79 is corrected by making the following correcting amendments:

PART 79—CLOSED CAPTIONING AND VIDEO DESCRIPTION OF VIDEO PROGRAMMING

■ 1. The authority citation for part 79 continues to read as follows:

Authority: 47 U.S.C. 151, 152(a), 154(i), 303, 307, 309, 310, 330, 554a, 613, 617.

- 2. Amend § 79.1 by
- a. Revising paragraph (i)(3);
- b. Adding paragraph (j)(1);
- c. Revising paragraphs (k)(1)(iv) and (m)(1) introductory text; and
- d. Adding paragraph (m)(5).

The additions and revisions read as follows:

§ 79.1 Closed captioning of televised video programming.

- * * * * *
- (i) * * *

(3) *Providing contact information to the Commission.* (i) Prior to the compliance date of paragraph (m) of this section, video programming distributors shall file the contact information described in this section with the Commission in one of the following

ways: through a web form located on the FCC website; with the Chief of the Disability Rights Office, Consumer and Governmental Affairs Bureau; or by sending an email to *CLOSEDCAPTIONING_POC@fcc.gov*. Contact information shall be available to consumers on the FCC website or by telephone inquiry to the Commission’s Consumer Center. Distributors shall notify the Commission each time there is a change in any of this required information within 10 business days.

(ii) As of the compliance date of paragraph (m) of this section, video programming distributors and video programmers shall file contact information with the Commission through a web form located on the Commission’s website. Such contact information shall include the name of a person with primary responsibility for captioning issues and ensuring compliance with the Commission’s rules. In addition, such contact information shall include the person’s title or office, telephone number, fax number (if the video programming distributor or video programmer has a fax number), postal mailing address, and email address. Contact information shall be available to consumers on the Commission’s website or by telephone inquiry to the Commission’s Consumer Center. Video programming distributors and video programmers shall notify the Commission each time there is a change in any of this required information within ten (10) business days.

(j) * * *

(1)(i) Prior to the compliance date of paragraph (m) of this section, a video programming distributor shall exercise best efforts to obtain a certification from each video programmer from which the distributor obtains programming stating:

(A) That the video programmer’s programming satisfies the caption quality standards of paragraph (j)(2) of this section;

(B) That in the ordinary course of business, the video programmer has