

TABLE 3.—WASTES EXCLUDED FROM COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SOIL RESIDUES THEREOF

| Facility                 | Address                   | Waste description   |
|--------------------------|---------------------------|---|
| *<br>Texas Eastman ..... | *<br>Longview, Texas .... | *<br>*<br>*<br>*<br>*<br>Incinerator ash (at a maximum generation of 7,000 cubic yards per calendar year) generated from the incineration of sludge from the wastewater treatment plant (EPA Hazardous Waste No. U001, U002, U003, U019, U028, U031, U037, U044, U056, U069, U070, U107, U108, U112, U113, U115, U117, U122, U140, U147, U151, U154, U159, U161, U169, U190, U196, U211, U213, U226, U239, and U359, after [insert publication date of the final rule]. Texas Eastman must implement the testing program described in Table 1. Wastes Excluded From Non-Specific Sources for the petition to be valid.<br>*<br>*<br>*<br>*<br>* |

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**40 CFR Part 300**  
**[FRL-5525-3]**

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

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Intent to Delete the Omega Hills North Landfill Superfund Site from the National Priorities List; Request for Comments.

**SUMMARY:** The United States Environmental Protection Agency (U.S. EPA) Region V announces its intent to delete the Omega Hills Landfill Site from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which U.S. EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended. This action is being taken by U.S. EPA, because it has been determined that all Fund-financed responses under CERCLA have been implemented and U.S. EPA, in consultation with the State of Wisconsin, has determined that no further response is appropriate. Moreover, U.S. EPA and the State have determined that remedial activities conducted at the Site to date have been protective of public health, welfare, and the environment.

**DATE:** Comments concerning the proposed deletion of the Site from the NPL may be submitted on or before July 25, 1996.

**ADDRESSES:** Comments may be mailed to Gladys Beard, Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd. (SR-6J), Chicago, IL 60604.

Comprehensive information on the site is available at U.S. EPA's Region V office and at the local information repository located at: Wisconsin Department of Natural Resources, 101 S. Webster, Madison, WI 53707. Requests for comprehensive copies of documents should be directed formally to the Region V Docket Office. The address and phone number for the Regional Docket Officer is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**FOR FURTHER INFORMATION CONTACT:** Gladys Beard (SR-6J), Associate Remedial Project Manager, Superfund Division, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886-7253 or Susan Pastor (P-19J), Office of Public Affairs, U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-1325.

**SUPPLEMENTARY INFORMATION:**

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**I. Introduction**

The U.S. Environmental Protection Agency (EPA) Region V announces its intent to delete the Omega Hills North Landfill Site from the National Priorities List (NPL), which constitutes Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and requests comments on the proposed deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare or the environment, and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to Section 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if the conditions at the site warrant such action.

The U.S. EPA will accept comments on this proposal for thirty (30) 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 history of this site and explains how the site meets the deletion criteria.

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Furthermore, deletion from the NPL does not in any way alter U.S. EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist in Agency management.

**II. NPL Deletion Criteria**

The NCP establishes the criteria the Agency 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. In making this determination, U.S. EPA will consider, in consultation with the State, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further response 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, remedial measures are not appropriate.

**III. Deletion Procedures**

Upon determination that at least one of the criteria described in 300.425(e) has been met, U.S. EPA may formally begin deletion procedures once the State has concurred. This Federal Register

notice, and a concurrent notice in the local newspaper in the vicinity of the site, announce the initiation of a 30-day comment period. The public is asked to comment on U.S. EPA's intention to delete the Site from the NPL. All critical documents needed to evaluate U.S. EPA's decision are included in the information repository and the deletion docket.

Upon completion of the public comment period, if necessary, the U.S. EPA Regional Office will prepare a Responsiveness Summary to evaluate and address comments that were received. The public is welcome to contact the U.S. EPA Region V Office to obtain a copy of this responsiveness summary, if one is prepared. If U.S. EPA then determines the deletion from the NPL is appropriate, final notice of deletion will be published in the Federal Register.

#### IV. Basis for Intended Site Deletion

The Omega Hills North Landfill is located in the Village of Germantown in Washington County, Wisconsin. The Omega Hills North Landfill is a former hazardous and solid waste disposal site. The landfill is closed. A clay cover was completed October 1, 1989.

Contaminants at the site include benzene, vinyl chloride, trichloroethylene, and cis 1,1-dichloroethylene. Contamination from the site extends to bedrock and sand seams located beneath the site to an approximate depth of 95 feet. Groundwater contamination (chiefly trichloroethylene) has been detected in private wells near the site. Residents in the area now use municipal water. The site has undergone remediation in the form of installing treatment systems that address groundwater, leachate, gas and surface water runoff contamination. The potential for continuing migration of contaminants due to groundwater movement is a public health concern and is addressed with regular monitoring of wells in the area of the site.

The Omega Hills North Landfill is an 83-acre site that is part of a two-site complex. The Omega Hills North Landfill, which is now closed, operated as a municipal and industrial waste disposal site that was licensed to accept hazardous waste from 1977 to 1982. One of the largest landfills in the state, the Omega Hills complex is located in the extreme southeastern corner of Washington County near metropolitan Milwaukee. The site was proposed for the NPL in September 1983. The listing was finalized in September 21, 1984, Federal Register number 49, volume

number 185 and page number 37070-37090.

Soils at the site are generally fine grained, but there are major sand layers that extend vertically to the bedrock and serve as recharge zones. An ineffective leachate collection system and large amounts of liquid waste allowed very high leachate head levels to develop. Wells in the area draw from the underlying Niagara dolomite.

The sand and underlying dolomite serve as conduits for contaminant migration. Hydrogeologic investigations conducted during 1981 through 1983 detected a groundwater divide that exists within the bedrock aquifer along the northwest side of the landfill. A stream to the west of the site also inhibits groundwater flow to the west.

After becoming saturated, layers of sand that intersect the bottom and sides of the landfill serve as conduits for transmitting liquid wastes and leachate to surrounding groundwater. Data from monitoring wells around the landfill indicates that groundwater is contaminated. Some nearby wells rely on the same aquifer for water.

A medical waste incinerator and a methane gas power plant are located on the site.

Remediation activities began at this site in the early 1980's and a significant portion of the environmental cleanup has been completed. All of this work has been implemented under state solid hazardous waste authority and it is EPA's intent to continue using existing state environmental regulations to require the on-going long-term care activities such as environmental monitoring, leachate extraction and treatment, routine maintenance, as well as additional remediation work as necessary.

The majority of the cleanup has been completed. Federal CERCLA authorities have not been used to compel any cleanup actions at this site. Instead, cleanup activities at the site were initiated using the State's authority under RCRA. The State will also require long-term operation and maintenance of the site using these RCRA authorities. Any future cleanup activities will be addressed using State RCRA authorities. As a result, the site should be removed from the NPL.

EPA, with concurrence from the State of Wisconsin, has determined that all appropriate Fund-financed responses under CERCLA at the Omega Hills North Landfill Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and the environment. Therefore,

EPA proposes to delete the site from the NPL.

Dated: June 11, 1996.

Valdas V. Adamkus,  
Regional Administrator, U.S. EPA, Region V.  
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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Chapter I

[DA 96-1007]

### Implementation of the Local Competition Provisions of 1996 Telecommunications Act

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; establishing comment date.

**SUMMARY:** This document establishes an additional Comment opportunity in CC Docket 96-98 [61 FR 18311, April 25, 1996] in order to allow parties to that proceeding to comment on a staff-prepared working copy of an industry demand and supply simulation model. The model, using publicly-available, industry-wide information, allows users to simulate the relative impact of particular changes in the industry.

**DATES:** Comments are due on or before July 1, 1996. (No reply comments allowed).

**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W., 20554.

**FOR FURTHER INFORMATION CONTACT:** Jim Lande at (202) 418-0498 or Doron Fertig at (202) 418-1869.

#### SUPPLEMENTARY INFORMATION:

Supplemental Comment Period Designated for Local Competition Proceeding, CC Docket 96-98

[DA 96-1007; IAD 96-175]

Released June 20, 1996.

1. On June 17, 1996, the FCC's Industry Analysis Division, Common Carrier Bureau, and the Competition Division, Office of General Counsel, released a staff model of the telecommunications industry which allows model users to calculate a variety of outputs from nearly 200 specifications (News Release, "FCC Staff Releases Working Copy of an Industry Demand & Supply Simulation Model," released June 17, 1996.) The model allows the user to specify growth rates, pricing trends, demand elasticities and cost relationships to simulate effects in traditional industry segments. The