

located west of County Rt. 511 (Boonton Avenue) between Wootton Street and Hillside Avenue, in the Town of Boonton, Morris County, New Jersey, from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR part 300, which EPA promulgated pursuant to section 105 of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended. 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 Substances Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions if conditions at the site warrant such action.

The EPA will accept comments concerning the Pepe Field 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 how the Pepe Field Superfund Site meets the deletion criteria.

## 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)(1)(i)–(iii), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA, in consultation with the State, will consider whether any of the following criteria have been met:

(i) EPA has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Deletion of a site from the NPL does not affect the liability of responsible parties or impede agency efforts to recover costs associated with response efforts. Deletion of a site from the NPL

does not itself create, alter, or revoke any person's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management.

## III. Deletion Procedures

The following procedures were used for the intended deletion of this Site:

(1) EPA signed an Explanation of Significant Differences (ESD) on July 26, 1997 which modified the remedy for the Site selected on September 29, 1989.

(2) EPA funded the design and construction of a comprehensive remedy for the Site.

(3) EPA completed the cleanup at the Site. The work included the stabilization, excavation and off-site disposal of waste material in accordance with the ESD. In addition, restoration of the field including the construction of a playground, basketball court, little league field, gazebo, and concession stand, as well as restoration of residential properties, has also been completed. As a result, no further remedial action is necessary at the Pepe Field Superfund Site to ensure protection of human health and the environment;

(4) The State of New Jersey concurred with the proposed deletion decision;

(5) 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 for EPA's Notice of Intent to Delete; and

(6) All relevant documents have been made available for public review in the local Site information repositories.

For deletion of this Site, EPA's Region II 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, which will address any significant public comments received during the public comment period.

The deletion occurs when the EPA Regional Administrator places a final notice in the **Federal Register**. Generally, the NPL will reflect any deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local officials by the Region II Office.

## IV. Basis for Intended Site Deletion

The following summary provides the Agency's rationale for the proposal to delete this Site from the NPL and the Agency's finding that the criteria in 40 CFR 300.425(e) are satisfied:

### A. Site History

The Pepe Field Site is located in the Town of Boonton, Morris County, New Jersey. It is situated in a residential area and encompasses approximately three acres. The Site was formerly used for the disposal of wastes generated from the processing of vegetable oils and soap products. Prior to EPA involvement at the Site, facilities at Pepe Field included a tennis court, a baseball field, a playground and a refreshment stand. The Town of Boonton had installed a soil cover, surface runoff controls, and a leachate collection and treatment system to reduce odors generated by the decaying waste.

### B. Selected Remedy

Based on the RI/FS, EPA selected a containment-based remedy in a Record of Decision (ROD), signed on September 29, 1989, which included the following major elements:

- Installation and maintenance of a landfill gas collection and treatment system for methane gas
- Improvement and maintenance of the leachate collection and treatment system
- Maintenance of the Site cover
- Groundwater quality monitoring
- Deed restrictions to prevent waste disruption.

On August 26, 1991, NJDEP requested that EPA assume the lead role for the remedial design and construction of the project.

As part of the design, which was conducted by Roy F. Weston, Inc. under the oversight of EPA and the Army Corps of Engineers (COE), additional field investigations were undertaken. Based on the results of the field investigations, EPA determined that the containment remedy would have to be modified to achieve the goals set forth in the ROD. These modifications, when incorporated into the design, significantly increased the scope and cost of the containment remedy.

In view of the results of the design investigations, EPA reconsidered the excavation and off-site disposal alternative. The cost of this alternative was estimated to be \$10 million. By comparison, the estimated cost of the revised containment remedy was estimated to be \$8.4 million.

Based on the above reevaluation, on July 25, 1997, EPA formally changed the remedy from containment to excavation and off-site disposal in an Explanation of Significant Differences (ESD). Although groundwater monitoring was required in the ROD because waste would have remained on-site, it was eliminated in the ESD.