

is available through the Region IX public docket which is available for viewing at the EPA Region IX Superfund Records Center, 95 Hawthorne Street, San Francisco CA, 94105-3901, (415) 536-2000 (Monday through Friday 8 a.m. to 5 p.m.); Hoopa Valley Tribal EPA, P.O. Box 1348, Hwy 96, Hoopa, CA 95546, (530) 625-5515.

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I. Introduction

The U.S. EPA Region IX is publishing this Notice of Intent to Delete the Celtor Chemical Works Superfund Site from the 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, which EPA promulgated pursuant to Section 105 of 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. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial action 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 (30) 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 following specifically for this Site. Section IV discusses the Celtor Chemical Works Superfund Site and demonstrates how it meets the deletion criteria.

Deletion of a site from the NPL does not itself create, alter, or revoke any individual's rights or obligations.

II. NPL Deletion Criteria

Section 300.425(e) of the NCP provides that sites may be deleted from the NPL where no further response is

appropriate. In making a determination to delete a site from the NPL, EPA, in consultation with the State and the Tribe, shall consider 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 (Hazardous Substance Superfund Response Trust Fund) response under CERCLA has 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, the taking of remedial measures is not appropriate.

If new information becomes available which indicates a need for further action, EPA may initiate remedial actions. 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 (40 CFR 300.425(e)(3)).

III. Deletion Procedures

The following procedures apply to deletion of this Site:

- (1) All remedial action has been implemented as is documented in the Final Close Out Report (FCOR), dated September 29, 1989.
- (2) The EPA consulted with the State of California and the Hoopa Valley Indian Tribe on the deletion of the Site from the NPL prior to developing this Notice of Intent to Delete.
- (3) The Hoopa Valley Indian Tribe concurred with deletion of the Site from the NPL.
- (4) The State of California concurred with deletion of the Site from the NPL.
- (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 on EPA's Notice of Intent to Delete.
- (6) The EPA placed copies of documents supporting the deletion in the Site information repositories identified above.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments before making a final decision to delete. If comments are received, EPA will prepare a Responsiveness Summary to address those comments. The Responsiveness Summary will be available for review in the Deletion Docket. The Deletion Docket is a compilation of documents containing all pertinent information supporting the deletion recommendation.

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 local residents by the Regional Office in the local information repository and in the Region IX Superfund Records Center.

IV. Basis for Site Deletion

The following information provides EPA's rationale for deleting the Site from the NPL:

Background

The Celtor Chemical Works Superfund Site is a 2.5 acre parcel of mountainous terrain located at the northern end of the Hoopa Valley Indian Reservation in Humboldt County California, about 2 miles north of the town of Hoopa. The property on which the Site is located is owned by the Hoopa Valley Indian Tribe. The Tribe's land is held in trust by the U.S. Bureau of Indian Affairs (BIA). The land use for the area surrounding the Site is rural residential. A cattle grazing pasture is located to the west of the former plant site. A gravel bar on the Trinity River at the northern end of the Site provides access to a popular recreational fishing site.

In 1958, BIA leased the land to the Celtor Chemical Corporation on behalf of the Tribe. The Celtor Chemical Corporation processed sulfide ore taken from the Copper Bluff Mine. The plant, known as the Celtor Chemical Works Mill, is believed to have used dissolved air flotation to extract copper, zinc, and precious metals from the ore. The ore concentrates were trucked off-site for further processing. Some mine tailings were stockpiled in the area of the plant site; however, most of the tailings were presumably sluiced down a drainage ditch to the Trinity River. The tailings may have been the cause of the numerous fish kills for which the California Department of Fish and Game have cited the Celtor Chemical Corporation.

In 1960 the Celtor Chemical Corporation became delinquent in its royalty payments to the Hoopa Valley Indian Tribe. By 1962, Celtor ceased operations and in March 1993, the BIA, as trustee for the Tribe, canceled the leases of both the Copper Bluff Mine and the Celtor Chemical Works Mill.

After milling operations ceased, a very large pile of tailings was reported to have been left standing on a sand and gravel bar between the drainage ditch and the Trinity River, along with the tailings that were known to have been