

§ 300.425(e)(1), EPA will consider, in consultation with the State, whether any of the following criteria have been met:

Section 300.425(e)(1)(i): Responsible parties or other persons have implemented all appropriate response actions required; or

Section 300.425(e)(1)(ii): All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

Section 300.425(e)(1)(iii): The remedial investigation has shown that the release poses no significant threat to human health or the environment and, therefore, taking of remedial measures is not appropriate.

Deletion of a portion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions at the area deleted if future site conditions warrant such actions. Section 300.425(e)(3) of the NCP provides that Fund-financed actions may be taken at sites that have been deleted from the NPL. A partial deletion of a site from the NPL does not affect or impede EPA's ability to conduct CERCLA response activities at areas not deleted and remaining on the NPL. In addition, deletion of a portion 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.

III. Deletion Procedures

Deletion of a portion 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.

The following procedures were used for the proposed deletion of the Poamoho lands at the site:

(1) EPA has recommended the partial deletion and has prepared the relevant documents.

(2) The State of Hawaii, through the Hawaii Department of Health, concurs with this partial deletion.

(3) Concurrent with this national Notice of Intent for Partial Deletion, a notice has been published in a newspaper of record and has been distributed to appropriate federal, state and local officials, and other interested parties. These notices announce a thirty (30) day public comment period on the deletion package, which commences on the date of publication of this notice in the **Federal Register** and a newspaper of record.

(4) EPA has made all relevant documents available at the information repositories previously listed.

This **Federal Register** document, and a concurrent notice in a newspaper of record, announce the initiation of a thirty (30) day public comment period and the availability of the Notice of Intent for Partial Deletion. The public is asked to comment on EPA's proposal to delete the Poamoho Section from the NPL. All critical documents needed to evaluate EPA's decision are included in the deletion docket and are available for review at the EPA Region IX information repositories.

Upon completion of the thirty (30) day public comment period, EPA will evaluate all comments received before issuing the final decision on the partial deletion. EPA will prepare a Responsiveness Summary for comments received during the public comment period and will address concerns presented in the comments. The Responsiveness Summary will be made available to the public at the information repositories listed previously. Members of the public are encouraged to contact EPA Region IX to obtain a copy of the Responsiveness Summary. If, after review of all public comments, EPA determines that the partial deletion from the NPL is appropriate, EPA will publish a final notice of partial deletion in the **Federal Register**. Deletion of the Poamoho Section does not actually occur until the final Notice of Partial Deletion is published in the **Federal Register**.

IV. Basis for Intended Partial Site Deletion

The following provides EPA's rationale for deletion of the Poamoho Section from the NPL and EPA's finding that the criteria in 40 CFR 300.425(e) are satisfied.

Site Background and History

The Site is an active pineapple plantation that consists of two major sections, known as Kunia and Poamoho. The Kunia Section is located in the general vicinity of the Kunia Well, a public water supply well. The Poamoho Section is geographically separated from the Kunia Section by Schofield Army Barracks, a site formerly on the NPL which was deleted in 2000 and Wheeler Field. The southern and northern boundaries of the Poamoho Section are located 3 miles south and 4.5 miles north, respectively, of the Kunia Well. The Poamoho Section is bounded by Wahiawa Reservoir (Lake Wilson) to the south, Kaukonahua Gulch to the east and Poamoho Gulch to the north. State Highways 80, 82 and 99 cross the Poamoho Section.

In April 1977, there was a spill of approximately 495 gallons of ethylene

dibromide ("EDB") within 60 feet of the Kunia Well, which was, at that time, used as a source of drinking water.

Additionally, EDB and other pesticides and fumigants, including 1, 2-Dibromo-3-chloropropane ("DBCP"), are known to have been stored in the same general vicinity. The Kunia Well was sampled one week after the spill, and EDB was not detected. The Kunia Well was sampled again in 1980, and EDB and DBCP were detected above safe drinking water standards. The Kunia Well was immediately disconnected from the drinking water supply system. In December 1994, EPA listed the site on the NPL primarily because of concerns with contamination to groundwater, which is a source of drinking water.

On September 28, 1995, Del Monte Fresh Produce ("DMFP") entered into an administrative order on consent ("AOC") with EPA. Under the AOC, DMFP prepared and EPA approved the Remedial Investigation and Feasibility Study ("RI/FS") Work Plan. The RI/FS Work Plan included plans to investigate two potential sources of concern on the Poamoho Section: a former fumigant drum burial site ("drum site") and a closed underground storage tank site ("tank site").

In the early 1970s, empty soil fumigant drums were buried behind an area known as the Poamoho Crateryard. Soil samples were collected at three locations within the burial area which measured 25 feet by 65 feet. Samples were collected at varying depths directly beneath the buried material. Soil analysis demonstrated that no EDB, DBCP or other chemicals of potential concern ("COPCs") associated with fumigant drum burial were present in the soils. Heptachlor at 2.3 micrograms per kilogram ("µg/kg") was detected in one sample at 12 to 14 feet below ground surface (bgs). This level is well below EPA's residential health-based guideline for heptachlor of 99 µg/kg. A soil gas sample was also collected from each of the three sampling locations at the base of the buried debris. The compounds detected in soil gas were low and do not represent a risk to human health or the environment. Because soil gas vapors can migrate to ground surface and disperse into the air, an analysis was conducted to estimate the potential health risk from inhalation. The analysis showed that the levels of chemicals in the air that people might breathe were far lower than EPA's health-based guidelines. The soil gas and soil concentrations do not pose a risk to groundwater due to the low concentrations detected and the great depth to the aquifer (600—700 feet bgs).