

new clean-up goals. In addition, O&M plans were submitted for both the Facility and Meadow Brook properties. The 2004 review also concluded that in order for the remedy to remain protective in the long-term, the following actions needed to be taken: 1. updated institutional controls needed to be recorded, and 2. Operation and Maintenance (including monitoring) needed to be conducted regularly [both of which have since occurred].

The Third Five-Year Review, completed in December 2009, concluded that the remedy at the Norwood PCBs Site continues to protect human health and the environment through meeting groundwater clean-up goals, the establishment of institutional controls, and the maintenance of remedy infrastructure concurrently during redevelopment of the Site. The 2009 Five Year Review also concluded that in order for the remedy to remain protective, the Operation & Maintenance (O&M) Plan and Environmental Monitoring Plan (EMP) must be updated to reflect changes in site conditions as a result of the redevelopment. These have been updated and approved (January 2011).

The Fourth Five-Year Review is due in December 2014.

#### *Community Involvement*

EPA community participation at the site has taken many forms. In addition to statutorily-required meetings and public hearings associated with the 1989 ROD and 1996 ROD Amendment, EPA has participated in numerous other outreach activities. EPA conducted public outreach during each of the three five-year reviews. EPA prepared updated Fact Sheets in 2003, 2005, and 2007. The Fact Sheets were distributed to mailing list recipients as well as hand-distributed to all abutting residences and business owners. Extra copies of the fact sheets have been made available to the public at the following locations: the Norwood Public library and Norwood Town Hall.

In addition, EPA has attended numerous Public Meetings during the site redevelopment approval process. All Community Involvement activities required and in association with this proposed deletion have been completed, including the publication of a notice in a local newspaper of general circulation regarding this proposed deletion and the availability of documents located in the Deletion Docket.

#### *Determination That the Site Meets the Criteria for Deletion in the NCP*

The NCP specifies that EPA may delete a site from the NPL if “all

appropriate responsible parties or other persons have implemented all appropriate response actions required” or “all appropriate fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate”. EPA, with the concurrence of the Commonwealth of Massachusetts through the MassDEP by a letter dated [Date], believes these criteria for deletion have been satisfied. Therefore, EPA is proposing the deletion of the site from the NPL. All of the completion requirements for the site have been met as described in the Norwood PCBs Final Close Out Report (FCOR) dated September 2009.

#### **V. Deletion Action**

The EPA, with concurrence of the Commonwealth of Massachusetts through the MassDEP has determined that all appropriate response actions under CERCLA, other than operation and maintenance, routine monitoring, and five year reviews, have been completed. Therefore, EPA is deleting the Site from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication. This action will be effective May 31, 2011 unless EPA receives adverse comments by May 2, 2011. If adverse comments are received within the 30-day public comment period, EPA will publish a timely withdrawal of this direct final notice of deletion before the effective date of the deletion, and it will not take effect. EPA will prepare a response to comments and continue with the deletion process on the basis of the notice of intent to delete and the comments already received. There will be no additional opportunity to comment.

#### **List of Subjects in 40 CFR Part 300**

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

Dated: March 17, 2011.

**Ira W. Leighton,**

*Acting Regional Administrator, EPA Region 1.*

For the reasons set out in this document, 40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

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

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

#### **Appendix B to Part 300 [Amended]**

■ 2. Table 1 of Appendix B to part 300 is amended by removing “Norwood PCBs”, “Norwood, MA”.

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## **DEPARTMENT OF DEFENSE**

### **GENERAL SERVICES ADMINISTRATION**

### **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

#### **48 CFR Part 53**

#### **Federal Acquisition Regulation; Government Property Disposal; Forms**

##### *CFR Correction*

In Title 48 of the Code of Federal Regulations, Chapter 1 (Parts 52 to 99), revised as of October 1, 2010, on page 527, in § 53.301–1423, the second Inventory Verification Survey form and the source note following it are removed.

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## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **49 CFR Part 40**

#### **Procedures for Transportation Workplace Drug and Alcohol Testing Programs**

##### *CFR Correction*

In Title 49 of the Code of Federal Regulations, Parts 1 to 99, revised as of October 1, 2010, on page 571, in § 40.97, add paragraphs (a)(2)(i) and (ii) to read as follows; and on page 572, in the same section, redesignate paragraphs (d)(1), (2) and (3) as (e)(1), (2) and (3).

#### **§ 40.97 What do laboratories report and how do they report it?**

(a) \* \* \*

(2) \* \* \*

(i) Positive, with drug(s)/metabolite(s) noted, with numerical values for the drug(s) or drug metabolite(s).

(ii) Positive-dilute, with drug(s)/metabolite(s) noted, with numerical values for the drug(s) or drug