

address the comments received during the public comment period. After the public comment period, a deletion will occur after EPA publishes a Notice of Deletion in the Federal Register. The NPL will reflect any deletions in the next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by EPA Region VIII.

IV. Basis for Intended Site Deletion

The following summary provides EPA's rationale for recommending deletion of the Whitewood Creek Superfund Site.

The Whitewood Creek Superfund Site is located in Butte, Meade and Lawrence Counties in western South Dakota. The Site includes the floodplain of an 18 mile stretch of Whitewood Creek between the Crook City Bridge and the confluence with the Belle Fourche River. The Site also includes areas surrounding the floodplain which fall within the 100 milligrams per kilogram (mg/kg) arsenic concentration isopleths as defined during remedial design (RD).

Disposal of mill tailings from area gold mines into Whitewood Creek for more than 100 years caused contamination at the Site. This practice ended in 1977. Homestake Mining Company (Homestake) of Lead, South Dakota was the largest contributor of this mine waste material. As Whitewood Creek flowed northeast out of the Black Hills, mine tailings were deposited on the banks of the creek and throughout the floodplain. An estimated 30 million tons of mill tailings were deposited within the Site. These tailings were found to contain elevated levels of arsenic and other heavy metals.

In 1981, at the request of the governor of South Dakota, the Site was placed on the "Interim NPL". Subsequently the Site was placed on the NPL on September 8, 1983 (48 Fed. Reg. 40658). The hazardous substance release pathways of concern at the Site were ground water and surface water. These pathways were used to develop the Site's hazard ranking system score. The hazardous substances of concern were arsenic, copper, zinc, selenium, and mercury.

Following placement of the Site on the Interim NPL, EPA, the State of South Dakota, and Homestake entered into a three-party agreement to perform studies to determine the nature and extent of contamination at the Site. In 1989, EPA determined that this study, combined with several others conducted between 1982 and 1986, constitutes the functional equivalent of a remedial investigation for the Site. The remedial

investigation reports, as well as any other reports referred to in this notice, can be found in the public docket for this Site.

Under an administrative agreement with EPA, Homestake conducted a feasibility study in 1989 to evaluate cleanup alternatives. The feasibility study and the remedial investigation reports concluded that the primary concern for human health and the environment at the Site was exposure to arsenic-contaminated tailings, soils, and groundwater.

EPA issued a Record of Decision (ROD) for the Whitewood Creek Site on March 30, 1990. The remedy selected for the Site was two-fold; (1) remove and/or cover tailings-contaminated soils in existing residential areas; and (2) implement institutional controls (ICs) to control access to the tailings and groundwater. To achieve a detailed understanding of the ROD, refer to the ROD dated March 30, 1990.

In August of 1990, EPA and Homestake signed a consent decree (CD) for Homestake to conduct remedial design and remedial action (RD/RA) at the Site. Under EPA oversight, Homestake, in coordination with Site residents, developed plans and specifications for removal and/or cover of arsenic-contaminated materials at sixteen residential yards.

Homestake conducted cleanup of the residential yards in 1991 and 1992. A total of 4,500 cubic yards of contaminated material was removed from the individual sites and placed in an on-site disposal facility.

Community relations activities throughout the Superfund process at the Site included:

- a. a public meeting followed by a comment period to present the preferred cleanup plan before issuing the ROD;
- b. a responsiveness summary to address comments received from the public regarding EPA's proposed clean up plan;
- c. regular site updates in the form of fact sheets mailed to the community;
- d. meetings with site residents to develop acceptable cleanup plans for residential yards; and
- e. community meetings.

Also as part of RD/RA, the following institutional controls have been implemented at the Site:

(a) Butte, Meade, and Lawrence Counties adopted ordinances that: prohibit construction of any new residential or commercial structures on the tailings deposits; restrict future development in tailings-impacted areas of the Site; and prohibit the removal and

use of tailings from outside the tailings areas; however, mining would be allowed subject to South Dakota regulations. These ordinances were adopted in 1992 and 1993;

(b) since 1993, Homestake has been distributing a Site fact sheet at least once a year to educate the public on Site hazards and ways to minimize the risk posed by residual contamination;

(c) a State ban on shallow aquifer water supply wells in the floodplain of Whitewood Creek has been maintained.

Administration of the above institutional controls is on-going and will continue indefinitely. In addition, Homestake is responsible for several operations and maintenance (O&M) activities at the site including but not limited to:

(1) monitoring the surface water quality of Whitewood Creek at least four times yearly for significant releases of remaining hazardous substances at the Site;

(2) re-sampling the soil in residential yards at least once every five years to ensure that re-contamination has not occurred; in the event of unacceptable levels of recontamination, Homestake will remediate the yard; and

(3) submitting reports to EPA on O&M activities four times yearly.

Further details of Homestake's O&M responsibilities at the Site can be found in the *Whitewood Creek Superfund Site, Post Closure Operations, Maintenance, and reporting Plan*, dated July 27, 1994. Deletion of the Site from the NPL in no way affects Homestake's continued obligations to perform O&M at the Site.

Because hazardous substances remain at this Site EPA must review Site conditions no less often than every five years from the start of remedial action at the Site to ensure that the remedy continues to remain protective of human health and the environment. The first five year review will begin no later than September 1996.

Dated: November 8, 1995.

William P. Yellowtail,
Regional Administrator, U.S. E.P.A., Region VIII.

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