

concurrently-executed Administrative Order on Consent pursuant to Section 106(a) of CERCLA, obligating Respondents to perform certain response actions at the Site. Pursuant to CERCLA Section 122(h)(1), the administrative settlement may not be issued without the prior written approval of the Attorney General or her designee. In accordance with that requirement, the Attorney General or her designee has approved the proposed administrative settlement in writing.

EPA intends to settle with other potentially responsible parties concerning reimbursement of EPA's remaining response costs.

**DATES:** Comments must be provided on or before January 21, 1997.

**ADDRESSES:** Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 17th Floor, 290 Broadway, New York, New York 10007 and should refer to: "Quanta Resources Syracuse Superfund Site, U.S. EPA Index No. II-CERCLA-96-0216". For a copy of the settlement document, contact the individual listed below.

**FOR FURTHER INFORMATION CONTACT:** Jeannie M. Yu, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007. Telephone: (212) 637-3178.

Dated: December 5, 1996.

William J. Muszynski,  
*Acting Regional Administrator.*

[FR Doc. 96-32243 Filed 12-18-96; 8:45 am]

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[FRL-5668-2]

**Agreement and Covenant Not To Sue Pursuant to Sections 9601-9675 of the Comprehensive Environmental Response, Compensation, and Liability Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative agreement and opportunity for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), the U.S. Environmental Protection Agency ("EPA"), Region II, announces a proposed administrative settlement under CERCLA for a

"prospective purchaser" relating to a portion of the former Marathon Battery Company Superfund Site ("Site"). The Site is located in the Village of Cold Spring, Putnam County, New York City, New York. This notice is being published pursuant to Section 122(i) of CERCLA to inform the public of the proposed settlement and of the opportunity to comment. EPA will consider any comments received during the comment period, which begins on December 20, 1996 and concludes on January 19, 1997, and may withdraw or withhold consent to the proposed settlement if comments disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate.

The proposed administrative settlement has been memorialized in an Agreement and Covenant Not to Sue ("Agreement") between EPA and Scenic Hudson Land Trust, Inc. ("Respondent"). The Agreement will become effective after the close of the public comment period, unless comments received disclose facts or considerations which indicate that the Agreement is inappropriate, improper or inadequate, and EPA, in accordance with Section 122(i)(3) of CERCLA, modifies or withdraws its consent to the Agreement.

Under the Agreement, the United States covenants not to sue or take any other civil or administrative action against Respondent for any and all civil liability, for injunctive relief or reimbursement of response costs pursuant to Sections 106 or 107(a) of CERCLA, 42 U.S.C. §§ 9606 or 9607(a) with respect to existing contamination, below EPA's action levels, present on or under the property in East Foundry Cove and East Foundry Cove Marsh as of the effective date of the Agreement. In return, the Respondent has agreed to accept a deed restriction which permits access for monitoring and maintenance and protects the EPA-approved remedy.

Pursuant to EPA guidance, the Agreement may not be issued without the written approval of the Attorney General or her designee. In accordance with that guidance, the Attorney General or her designee has approved the proposed Agreement in writing.

**DATES:** Comments must be provided on or before January 21, 1997.

**ADDRESS:** Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 17th Floor, 290 Broadway, New York, New York 10007 and should refer to: "Agreement and Covenant Not to Sue Scenic Hudson

Land Trust, Incorporated, U.S. EPA Index No. II-CERCLA-97-0202". For a copy of the settlement document, contact the individual listed below.

**FOR FURTHER INFORMATION CONTACT:** Beverly Kolenberg, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007. Telephone: (212) 637-3167.

Dated: December 13, 1996.

William J. Muszynski,  
*Acting Regional Administrator.*

[FR Doc. 96-32242 Filed 12-18-96; 8:45 am]

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[FRL-5667-5]

**Proposed Settlement Pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative settlement and opportunity for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), the U.S. Environmental Protection Agency ("EPA"), Region II, announces a proposed administrative settlement pursuant to Section 122(h) of CERCLA, 42 U.S.C. 9622(h), relating to the Muratti Environmental Superfund Site ("Site"). The Site is located in the town of Penuelas, Tallaboa Ward, Commonwealth of Puerto Rico. This notice is being published pursuant to Section 122(i) of CERCLA to inform the public of the proposed settlement and of the opportunity to comment. EPA will consider any comments received during the comment period and may withdraw or withhold consent to the proposed settlement if comments disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate. The proposed administrative settlement has been memorialized in an Administrative Order on Consent ("Order") between EPA and ROHO Investment, Inc. (the "Respondent"). This Order will become effective after the close of the public comment period, unless, comments received disclose facts or considerations which indicate that this Agreement is inappropriate, improper or inadequate, and EPA, in accordance with Section 122(i)(3) of CERCLA, modifies or

withdraws its consent to this Agreement. Under the Order, the Respondent will be obligated to pay \$20,000 to the Hazardous Substances Superfund.

Pursuant to CERCLA Section 122(h)(1), the Order may not be issued without the prior written approval of the Attorney General or her designee. In accordance with that requirement, the Attorney General or her designee has approved the proposed administrative order in writing.

EPA intends to pursue other potentially responsible parties concerning payment of additional amounts to EPA in respect of past costs.

**DATES:** Comments must be provided on or before January 21, 1997.

**ADDRESS:** Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New York/Caribbean Superfund Branch, 17th Floor, 290 Broadway, New York, New York 10007 and should refer to: "Muratti Environmental Superfund Site, U.S. EPA Index No. II CERCLA-96-0302". For a copy of the settlement document, contact the individual listed below.

**FOR FURTHER INFORMATION CONTACT:** Jean H. Regna, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007. Telephone: (212) 637-3164.

Dated: December 5, 1996.

William J. Muszynski,  
*Acting Regional Administrator.*

[FR Doc. 96-32241 Filed 12-18-96; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### Product, Establishment, and Biologics License Applications, Refusal to File; Meeting of Oversight Committee

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing a meeting of its standing oversight committee in the Center for Biologics Evaluation and Research (CBER) that conducts a periodic review of CBER's use of its refusal to file (RTF) practices on product license applications (PLA's), establishment license applications (ELA's), and biologics license applications (BLA's). CBER's RTF

oversight committee examines all RTF decisions which occurred during the previous quarter to assess consistency across CBER offices and divisions in RTF decisions.

**DATES:** The meeting will be held on January 7, 1997.

**FOR FURTHER INFORMATION CONTACT:** Joy A. Cavagnaro, Center for Biologics Evaluation and Research (HFM-4), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852-1448, 301-594-3079.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of May 15, 1995 (60 FR 25920), FDA announced the establishment and first meeting of CBER's standing oversight committee. As explained in the notice, the importance to the public health of getting new biological products on the market as efficiently as possible has made improving the biological product evaluation process an FDA priority. CBER's managed review process focuses on specific milestones or intermediate goals to ensure that a quality review is conducted within a specified time period. CBER's RTF oversight committee meetings continue CBER's effort to promote the timely, efficient, and consistent review of PLA's, ELA's, and BLA's.

FDA regulations on filing PLA's, ELA's, and BLA's are found in 21 CFR 601.2 and 601.3. A sponsor who receives an RTF notification may request an informal conference with CBER, and thereafter may ask that the application be filed over protest, similar to the procedure for drugs described under 21 CFR 314.101(a)(3) (see 57 FR 17950, April 28, 1992).

CBER's standing RTF oversight committee consists of senior CBER officials, a senior official from FDA's Center for Drug Evaluation and Research, and FDA's Chief Mediator and Ombudsman. Meetings, ordinarily, will be held once a quarter to review all of the RTF decisions. The purpose of such a review is to assess the consistency within CBER in rendering RTF decisions.

Because the committee's deliberations will deal with confidential commercial information, all meetings will be closed to the public. The committee's deliberations will be reported in the minutes of the meeting. Although those minutes will not be publicly available because they will contain confidential commercial information, summaries of the committee's deliberations, with all confidential commercial information omitted, may be requested in writing from the Freedom of Information Office (HFI-35), Food and Drug

Administration, 5600 Fishers Lane, rm. 12A-16, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. If, following the committee's review, an RTF decision changes, the appropriate division will notify the sponsor.

Dated: December 11, 1996.

William K. Hubbard,

*Associate Commissioner for Policy Coordination.*

[FR Doc. 96-32272 Filed 12-18-96; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 96-45; DA 96-2091]

### Federal-State Joint Board on Universal Service: Staff To Hold Workshops on Proxy Cost Models on January 14-15, 1997

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** On December 12, 1996 the Federal Communications Commission released a public notice to announce that the federal and state staff of the Federal-State Joint Board on Universal Service will be conducting workshops on January 14 and 15, 1997, regarding the selection of a proxy cost model. The purpose of the notice is to inform the general public of the time and place of the workshops.

**FOR FURTHER INFORMATION CONTACT:** Astrid Carlson, Universal Service Branch, Accounting and Audits Division, Common Carrier Bureau, at (202) 530-6023.

**SUPPLEMENTARY INFORMATION:** The federal and state staff will hold workshops on proxy cost models on Tuesday, January 14, 1997 and Wednesday, January 15, 1997 at 9:00 a.m. in Room 856 at 1919 M Street, N.W., Washington, D.C. The workshops will consist of round table discussions on issues relating to the selection of a proxy cost model for determining the cost of providing the service supported by the universal service support mechanism. It is anticipated that the workshops will start with a brief presentation by the proponents of the proxy models. Each proponent will highlight the characteristics of the current version of its model, any planned revisions to the model, and a time table for completing those revisions. The round table discussions will then follow. It is anticipated that the following issues may be discussed, including, for example: (1) modeling