

[FRL-5405-8]

**Notice of Proposed Administrative Cost Recovery Agreement Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act, Regarding the GE/Moreau Site, Moreau, New York**

**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 pursuant to Section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1), relating to the GE/Moreau Site (the "Site"), Moreau, Saratoga County, New York. This Site is on the National Priorities List established pursuant to Section 105(a) of CERCLA. This notice is being published to inform the public of the proposed settlement and of the opportunity to comment.

The settlement, memorialized in an Administrative Cost Recovery Agreement ("Agreement"), is being entered into by EPA and the General Electric Company (the "Respondent"). Under the Agreement, the Respondent shall pay EPA the sum of \$600,000 in reimbursement of past response costs incurred by EPA with respect to the Site.

**DATES:** EPA will accept written comments relating to the proposed settlement for a period of thirty days from the date of publication of this notice.

**ADDRESSES:** Comments should reference the GE/Moreau Superfund Site and EPA Index No. II-CERCLA-95-0205.

Comments and any requests for further information, including requests for a copy of the Agreement, should be sent to: Paul Simon, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 290 Broadway, 17th Floor, New York, New York 10007-1866.

**FOR FURTHER INFORMATION CONTACT:** Paul Simon at telephone: (212) 637-3172.

Dated: December 1, 1996.

William J. Muszynski,  
*Acting Regional Administrator.*

[FR Doc. 96-1555 Filed 1-26-96; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5409-1]

**Proposed Settlement; J & A Enterprises Site**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement.

**SUMMARY:** Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has proposed to settle claims for response costs at the J & A Enterprises Site (Site) located in Huntsville, Alabama, with Ms. Addie Atkinson, owner/operator of the Site, J & A Enterprises Leasing, and J & A Finishing Corporation, Inc. EPA will consider public comments on the proposed settlement for thirty days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. Environmental Protection Agency, Region IV, Waste Programs Branch, Waste Management Division, 345 Courtland Street, N.E., Atlanta, Georgia 30365; (404) 347-5059 ext. 6169.

Written comment may be submitted to Mr. Greg Armstrong at the above address within 30 days of the date of publication.

Dated: January 17, 1996.

Richard D. Green,

*Acting Director, Waste Management Division.*

[FR Doc. 96-1549 Filed 1-26-95; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5404-4]

**Notice of Proposed Administrative Settlement Pursuant to Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act Regarding the Kin-Buc Landfill Superfund Site**

**AGENCY:** Environmental Protection Agency (EPA).

**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 United States Environmental Protection Agency ("EPA"), Region II announces an

administrative settlement pursuant to Section 122(h)(1) of CERCLA, 42 U.S.C. 9622(h)(1) regarding the Kin-Buc Landfill Superfund Site (the "Kin-Buc Site").

The Kin-Buc Site is located in Edison Township, Middlesex County, New Jersey and is listed on the National Priorities List established under Section 105 of CERCLA. 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 administrative settlement would resolve the claims of the United States against I.S.A. In New Jersey, Inc. ("ISA") and Round Lake Sanitation Corporation ("Round Lake") with respect to their potential liability for past costs incurred by EPA pursuant to CERCLA in responding to the release and threatened release of hazardous substances at the Kin-Buc Site. The settlement is memorialized in an Administrative Cost-Recovery Agreement ("Agreement"). Under the Agreement, ISA and Round Lake are obligated to pay \$5,000 to the Hazardous Substances Superfund. The payment is to be made from an escrow account established for ISA and Round Lake as stated below. The settlement is based on the ability to pay of ISA and Round Lake in that these corporations are defunct and have no assets other than the monies in escrow.

In 1991, ISA, Round Lake, and other entities and individuals were indicted by a grand jury empaneled in the United States District Court for the Southern District of New York on numerous federal felony charges. According to a subsequent plea agreement, the assets of ISA and Round Lake, and other entities, were required to be sold to unrelated third parties. In 1994, the United States entered into an Agreement and Covenant Not To Sue under CERCLA with Browning-Ferris Industries of New York, Inc.; Browning-Ferris Industries of Paterson, N.J., Inc.; and Browning-Ferris Industries of South Jersey, Inc. (collectively "BFI") regarding BFI's prospective purchase of the assets of ISA, Round Lake, and the other entities. BFI paid \$250,000 to the United States for an Agreement and Covenant Not To Sue, of which \$1,250 was allocated to the Kin-Buc Site, and the balance of which was allocated to three other Superfund sites: The Warwick Landfill

Superfund Site in Warwick, New York (the "Warwick Site"), the Hertel Landfill Superfund Site in the Town of Plattekill, New York (the "Hertel Site") and the Ramapo Landfill Superfund Site in the Town of Ramapo, New York (the "Ramapo Site"). BFI completed the acquisition of the assets of ISA, Round Lake, and the other entities and, in connection therewith, ISA and Round Lake deposited \$1,000,000 of the sale price into an escrow account established to resolve certain liability to the United States pursuant to CERCLA at the Kin-Buc Site, the Warwick Site, the Hertel Site and the Ramapo Site. The balance of the proceeds of BFI's purchase of the assets of ISA, Round Lake, and the other entities was used to pay other obligations of ISA and Round Lake including \$5,000,000 in criminal fines, forfeitures and costs, \$3,500,000 in federal and state tax liability, and \$300,000 of liabilities to other creditors.

The remedial action which has been selected at the Kin-Buc Site is being implemented by parties other than ISA or Round Lake. The bulk of EPA's past costs at the Kin-Buc Site have been recovered from parties other than ISA or Round Lake, and the remaining costs at the Kin-Buc Site may be recovered from parties other than ISA or Round Lake.

Pursuant to CERCLA Section 122(h)(1), the prior written approval of the Attorney General is required for the administrative settlement under CERCLA between EPA and ISA and Round Lake. In satisfaction of that requirement, the Attorney General or her designee has approved the proposed settlement in writing.

**DATES:** Comments must be submitted on or before February 28, 1996.

**ADDRESSES:** Comments should be addressed to the EPA at the address listed below, and should refer to "Kin-Buc Landfill Superfund Site, EPA Index No. II CERCLA-95-0114". Interested parties may contact the individual listed below to receive a copy of either or both administrative settlement agreements, or to make an appointment to examine either or both administrative settlement agreements at EPA Region II, 290 Broadway, New York, NY, 10007.

**FOR FURTHER INFORMATION CONTACT:** Michael A. Mintzer, Assistant Regional Counsel, NY/Caribbean Superfund Branch, Office of Regional Counsel, Environmental Protection Agency, 290 Broadway, New York, N.Y. 10007, telephone: (212) 637-3168.

Dated: November 30, 1995.  
William Muszynski,  
*Acting Regional Administrator.*  
[FR Doc. 96-1464 Filed 1-26-96; 8:45 am]  
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[FRL-5404-2]

**Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act; in re: Industri-Plex Superfund Site; Woburn, MA**

**AGENCY:** U.S. Environmental Protection Agency.

**ACTION:** Notice of proposed prospective purchaser agreement and request for public comment.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is proposing to enter into a prospective purchaser agreement to address claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.* Notice is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve the liability under CERCLA of Michael Vining and David Vining, individually, David Vining as trustee of 20 Atlantic Avenue Realty Trust, and Atlantic Packaging, Inc. for injunctive relief or for costs incurred or to be incurred by EPA in conducting response actions at the Industri-Plex Superfund Site in Woburn, Massachusetts.

**DATES:** Comments must be provided on or before February 28, 1996.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCG, Boston, Massachusetts 02203, and should refer to: In re: David Vining as trustee of 20 Atlantic Realty Trust, Woburn, Massachusetts, U.S. EPA Docket No. CERCLA-I-96-1010.

**FOR FURTHER INFORMATION CONTACT:** Daniel H. Winograd, U.S. Environmental Protection Agency, J.F.K. Federal Building, Mailcode RCT, Boston, Massachusetts 02203, (617) 565-3686.

**SUPPLEMENTARY INFORMATION:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. § 9601 *et seq.*, notice is hereby given of a proposed prospective purchaser agreement concerning the Industri-Plex Superfund Site in Woburn, MA. The settlement

was approved by EPA Region I on December 12, 1995, subject to review by the public pursuant to this Notice. Michael Vining and David Vining, individually, David Vining as trustee of 20 Atlantic Avenue Realty Trust, and Atlantic Packaging, Inc., collectively the Settling Respondent, have executed a signature page committing them to participate in the settlement. Under the proposed settlement, the Settling Respondent is required to pay \$30,000 to the Hazardous Substances Superfund, to abide by institutional controls and to provide access to the property. EPA believes the settlement is fair and in the public interest.

EPA is entering into this agreement under the authority of CERCLA Section 101 *et seq.* which provides EPA with authority to consider, compromise, and settle a claim under Sections 106 and 107 of CERCLA for costs incurred by the United States if the claim has not been referred to the U.S. Department of Justice for further action. The U.S. Department of Justice will have approved this settlement in writing prior to the agreement becoming effective. EPA will receive written comments relating to this settlement for thirty (30) days from the date of publication of this Notice.

A copy of the proposed administrative settlement may be obtained in person or by mail from Daniel H. Winograd, U.S. Environmental Protection Agency, JFK Federal Building, Mailcode RCT, Boston, Massachusetts 02203, (617) 565-3686.

The Agency's response to any comments received will be available for public inspection with the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCG, Boston, Massachusetts (U.S. EPA Docket No. CERCLA-I-96-1010).

Dated: December 13, 1995.  
John DeVillars,  
*Regional Administrator.*  
[FR Doc. 96-1541 Filed 1-26-96; 8:45 am]  
BILLING CODE 6560-50-P

[FRL-5404-1]

**Notice of Proposed Prospective Purchaser Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act**

**AGENCY:** Environmental Protection Agency (EPA).