

received will be available for public inspection at the U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202.

DATES: Comments must be submitted on or before August 8, 1996.

AVAILABILITY: The proposed agreement is available for public inspection at the U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202. A copy of the proposed agreement may be obtained from Richard L. Sisk (8ENF-L), Compliance Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202, (303) 312-6638. Comments should reference the "San Juan County Historical Society Prospective Purchaser Agreement" and should be forwarded to Richard L. Sisk at the above address.

FOR FURTHER INFORMATION CONTACT: Richard L. Sisk (8ENF-L), Compliance Attorney, U.S. Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, CO 80202, (303) 312-6638.

Dated: June 24, 1996.

Jack W. McGraw,

Acting Regional Administrator.

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BILLING CODE 6560-50-P

[FRL-5533-6]

Proposed Settlement Under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act; Tulalip Landfill Superfund Site

AGENCY: Environmental Protection Agency (EPA).

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

SUMMARY: The U.S. Environmental Protection Agency ("EPA") is proposing to enter into an administrative settlement to resolve claims under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"). Notice is being published to inform the public of the proposed settlement and of the opportunity to comment. The settlement is intended to resolve past and estimated future liabilities of 187 *de minimis* parties for costs incurred, or to be incurred, by EPA at the Tulalip Landfill Superfund Site in Marysville, Washington.

DATES: Comments must be provided on or before August 8, 1996.

ADDRESSES: Comments should be addressed to Docket Clerk, U.S. Environmental Protection Agency, Region 10, ORC-158, 1200 Sixth Avenue, Seattle, Washington 98101, and should refer to In Re Tulalip Landfill Superfund Site, Marysville, Washington, U.S. EPA Docket No. 1093-08-01-104/122.

FOR FURTHER INFORMATION CONTACT: Cindy Colgate, Office of Environmental Cleanup (ECL-113), 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-1815.

SUPPLEMENTARY INFORMATION: In accordance with Section 122(i)(1) of CERCLA, notice is hereby given of a proposed administrative settlement concerning the Tulalip Landfill hazardous waste site located on Ebey Island between Steamboat Slough and Ebey Slough in the Snohomish River delta system between Everett and Marysville, Washington. The Site was listed on the National Priorities List ("NPL") on April 25, 1995. 60 FR 20350 (April 25, 1995). Subject to review by the public pursuant to this Notice, the agreement has been approved by the United States Department of Justice. Below are listed the 184 parties who have executed the proposed Administrative Order on Consent.

Ace Galvanizing; Alaskan Copper & Brass; Albertson Food Center/Albertson's Inc.; All City Fence Company/All City Fence Co., Inc.; American Building Maintenance (ABM); American Can Company/MCR Holdings, Inc.; American President Lines/American Mail Line; Arden Farms Co./Arden-Mayfair, Inc.; Art's Food Center; Auto Warehousing; Baugh Construction Co.; Bayless Bindery, Inc.; Bayley Construction/Robert E. Bayley Construction, Inc.; Bethlehem Steel; Boise Cascade Office Supply/Boise Cascade Office Products; Bon Marche/The Bon, Inc./Federated Department Stores, Inc.; Brandrud Manufacturing; Broadmoor Golf Club; Buffalo Sanitary Wipers/Bufallo Industries, Inc.; Burlington Northern Railroad/Burlington Northern, Inc.; Canteen Service, Inc.; Capital Industries, Inc.; Cases Inc./Flight Form Cases Inc.; Champion Bldg. Products/St. Regis/Champion International Corporation; Chemithon Corp.; Children's Orthopedic Hospital/Children's Hospital and Medical Center; City of Kirkland; City of Seattle; Commercial Warehouse; Consolidated Freightways/Consolidated Freightways Corporation of Delaware; Contour Laminates, Inc./Radeke Corporation; Craftsman Press, Inc.; Cree Construction; Crosby & Overton; Crow Roofing; CX Processing/

Gretag Imaging, Inc.; Darigold, Inc.; David A. Mowat Co.; Deeny Construction Co., Inc.; E & E Meats; Eagle Metals Co./Alcan Aluminum Corporation; Ellstrom Manufacturing; Everett Community College; Everett Herald; Fabricators Inc./Furon Company; Fentron Industries/Fentron Building Products, Inc.; Firestone Store; Fisher Flour Mills/Fisher Mills Inc.; Fishermen's Boat Shop, Inc.; Ford Motor Company; Foss Maritime Company; Foster & Kleiser/Ackerley Communications, Inc.; Fred Meyer; Gall & Landau Construction/Gall Landau Young Construction Co., Inc.; General Construction/Fletcher General, Inc.; General-Haskell-Amelco/Fletcher General, Inc./Haskell Corporation/Amelco Industries; General Hospital/Providence General Medical Center; General Services Administration; General Telephone (GTE)/GTE Northwest Inc.; Gordon Brown, Inc.; Group Health; Haight Roofing; Hardwood's Inc.; Henry Bacon Building Materials/CCD Enterprises; Hensel Phelps Construction; Herr Lumber Inc.; Hillis Homes, Inc./Centex Real Estate Corporation; Honeywell Inc./Alliant Techsystems Inc.; Howard S. Wright Construction/Fletcher Wright, Inc.; Hurlen Construction; Hussmann Corporation; Impression NW/K/P Corporation; Independent Paper/Jefferson Smurfit Recycling Company; Industrial Transfer; Ivar's, Inc.; J. C. Penney Company, Inc.; Jacobson Brothers/Jacobson Terminals, Inc.; John Fluke Manufacturing Company/Fluke Corporation; K & N Meats; Keller Supply; Kenworth/PACCAR Inc.; King County; Kohkoku USA Inc./Achilles USA, Inc.; Lake Union Drydock Co.; Lake Union Terminal/Wards Cove Packing Company; Lakeside School; Lucks, Oscar; Lucky Stores, Inc.; Manson Construction; Marketime Drugs Inc.; Maust Corporation; Meltec; Meridian Excavating & Wrecking; Metro; Morel Foundry/Morel Industries; National Oceanic and Atmospheric Administration; NC Machinery/SC Distribution Corp.; New Richmond Laundry; Newell, C. A.; Nordstrom Inc.; North Seattle Community College; North Shore; Northwest Home Furniture Mart; Northwest Hospital; Nuclear Pacific Inc./VIOX Corporation; NW Glass/TBG Inc.; NW Tank Service/NW Environmental Services; Oberto Sausage; Olson's Market Foods/Quality Food Centers, Inc.; Olympic Hotel/Four Seasons Hotel/Westin Hotel Company; Olympic Stained Products/Clorox Company/PPG Industries, Inc.; Owens-Corning Fiberglas Corp.; Pacific Fishermen, Inc.; Pacific Iron & Metal;

Pacific Multiform; Pacific Northwest Bell/US West Communications, Inc.; Pacific Partitions; Pampco Construction/Constructors-Pacific Company; Payless Drugs/Pay N Save/Thrifty Payless, Inc.; Pepsi/Seven-Up Bottling/Glaser Beverage/Alpac Corporation; Peter Pan Seafoods, Inc.; Petschl's Meats; Pike Place Market Authority; Pirates Plunder/Great Western Pacific, Inc.; Plaza 600/The Vance Corporation; Providence Hospital; PSF Industries; Purdy Company; QFC/Quality Food Centers, Inc.; R. C. Hedreen Company; Recreational Equipment, Inc. (REI); Red Dot Corporation; Reynolds Aluminum Corp.; Richardson & Holland/Bunge Foods Corporation; Richmark Printing; Riches & Adams/Adams News Co., Inc.; Rubatino Refuse Removal, Inc.; SAFECO Insurance Company of America; Salmon Terminal/Olympic Steamship Co., Inc.; Sanitary Service Company, Inc./City of Bellingham; Scott Paper Company/Kimberly Clark Corporation; Scougal Rubber Corporation; Seaboard Lumber; Sealand Service Inc.; Seattle Central Community College; Seattle Community College District; Seattle District Corps of Engineers; Seattle First National Bank/Seafirst; Seattle Golf & Country Club; Seattle Iron & Metals Corporation; Seattle Post-Intelligencer; Seattle Seafood/Washington Fish & Oyster Company/Ocean Beauty Seafoods, Inc.; Seattle Times; Seattle Trade Center; Seattle University; Sellen Construction Co., Inc.; Skyway Luggage Company; Snohomish County PUD; South Seattle Community College; SQI Roofing/SQI, Inc.; Star Machinery Co.; State of Washington Military Department; Swedish Hospital/Doctors Hospital; Texaco Inc./Texaco Refining & Marketing, Inc.; Thurman Electric & Plumbing Supply; Tiz's Door Sales; Trident Imports; Tullus Gordon Construction/Gordon Tullus Construction; Turner & Pease; U.S. Coast Guard; U.S. Postal Service; United Parcel Service; V.A. Hospitals/U.S. Department of Veterans Affairs; Virginia Mason Hospital; W. G. Clark Construction Co.; W. W. Wells Millworks; Wall & Ceiling Supply; Washington Chain & Supply; Washington Natural Gas Company; Washington Plaza/Seattle Westin Hotel Company/Westin Hotel Company/Benjamin Franklin Hotel, Inc.; Washington State Ferry; Washington State Liquor Warehouse; Welco Lumber Co.; West Coast Construction; West Waterway Lumber; Western Gear/Bucyrus-Erie Company; Weyerhaeuser.

The EPA is entering into this agreement under the authority of sections 122(g), 106 and 107 of

CERCLA, 42 U.S.C. 9622(g), 9606 and 9607. Section 122(g) authorizes early settlements with *de minimis* parties to allow them to resolve their liabilities at Superfund sites without incurring substantial transaction costs. Under this authority, the agreement proposes to settle with parties in the Tulalip Landfill case who each are responsible for less than 0.6% of the volume of hazardous substances at the site.

In February and March 1988, EPA contractor Ecology & Environment, Inc. (E&E) performed a site inspection of the landfill for NPL evaluation. The inspection revealed groundwater contamination with unacceptably high levels of arsenic, barium, cadmium, chromium, lead, mercury, and silver. Water samples taken in the wetlands adjacent to the site showed exceedences of marine chronic criteria for cadmium, chromium, and lead as well as exceedences in marine acute criteria for copper, nickel and zinc. In addition, a variety of metals were found in on-site pools and leachate. The study concluded that contamination was migrating off site. On July 29, 1991, EPA proposed adding the Tulalip Landfill to the NPL, and on April 25, 1995, with the support of the Governor of the State of Washington and the Tulalip Tribes of Washington, EPA published the final rule adding the Site to the NPL.

EPA is currently performing a Remedial Investigation ("RI") and Feasibility Study ("FS") pursuant to an Administrative Order on Consent with several potentially responsible parties. The FS is being conducted in two parts. The first part, which has been completed, evaluates various containment alternatives for the landfill source area, which includes approximately 147 acres in which waste was deposited. The second part will evaluate the off-source areas, which includes the wetlands and tidal channels that surround the landfill source area. On March 1, 1996, EPA issued a Record of Decision that selected an interim remedial action for the source area. The selected interim remedy requires installation of an engineered, low permeability cover over the source area of the landfill, at an estimated cost of \$25.1 million. For purposes of this settlement, EPA estimates that the expected future response costs at the Site will be \$33,543,626, including EPA's oversight costs.

The proposed settlement requires each settling party to pay a fixed sum of money representing their volumetric share of EPA's past costs and the estimated costs of future response actions, plus a premium. The total

amount that may be recovered from the proposed settlement is \$8,130,610. Of the amount paid, \$270,905 will reimburse a share of response costs incurred by EPA at the Site, and \$7,859,705 will be deposited in the Tulalip Landfill Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance response actions at or in connection with the Site. Upon full payment, each settling party will receive a release from further civil or administrative liabilities for the Site and statutory contribution protection under Section 122(g)(5), 42 U.S.C. 9622(g)(5).

EPA will receive written comments relating to this proposed settlement for a period of thirty (30) days from the date of this publication.

The proposed agreement may be obtained from Cindy Colgate, Office of Environmental Cleanup (ECL-113), 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-1815. The Administrative Record for this settlement may be examined at the EPA's Region 10 office located at 1200 Sixth Avenue, Seattle, Washington 98101 by contacting Lynn M. Williams, Superfund Records Manager, Office of Environmental Cleanup (ECL-113), 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-2121.

Authority: The Comprehensive Environmental Response, Compensation and Liability Act, as amended, 41 U.S.C. Sections 9601-9675.

Jane S. Moore,

Acting Regional Administrator.

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[FRL-5532-9]

Clean Water Act Section 303(d): Availability of List Submissions and Proposed Decisions

AGENCY: Environmental Protection Agency.

ACTION: Notice of Availability.

SUMMARY: This notice announces the availability of lists submitted to EPA by California and Hawaii pursuant to Clean Water Act Section 303(d)(2) as well as EPA's proposed decisions regarding these submissions, and requests public comment. Section 303(d)(2) requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On June 14, 1996, EPA partially approved California's submittal.