

Dated: December 23, 1994.

Conrad S. Simon,

Acting Deputy Regional Administrator.

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[FRL-5133-3]

Proposed Settlement Under 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: 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, (CERCLA), as amended. Notice is being published to inform the public of the proposed settlement and of the opportunity to comment. This settlement is intended to resolve liabilities of one party for costs incurred by EPA at the Chemical Control Site.

DATES: Comments must be provided by February 3, 1995.

ADDRESSES: Comments should be addressed to the U.S. Environmental Protection Agency, Office of Regional Counsel, New Jersey Superfund Branch, room 309, 26 Federal Plaza, New York, New York 10278 and should refer to: In the Matter of the Chemical Control Site: Union Carbide Corporation, U.S. EPA Index No. II CERCLA-94-0111.

FOR FURTHER INFORMATION CONTACT: U.S. Environmental Protection Agency, Office of Regional Counsel, New Jersey Superfund Branch, room 309, 26 Federal Plaza, New York, New York 10278, (212) 264-6159, Attention: Kristine Leopold.

SUPPLEMENTARY INFORMATION: In accordance with Section 122(i)(1) of CERCLA, notice is hereby given of a proposed administrative settlement concerning the Chemical Control Site which is located in Elizabeth, New Jersey. Section 122(h) of CERCLA provides EPA with authority to consider, compromise, and settle certain claims for costs incurred by the United States.

Union Carbide Corporation will pay a total of \$90,000 under this agreement to reimburse EPA for response costs incurred at the Chemical Control Site.

A copy of the proposed administrative settlement agreement, as well as background information relating to the

settlement, may be obtained in person or by mail from EPA's Region II Office of Regional Counsel, New Jersey Superfund Branch, room 309, 26 Federal Plaza, New York, New York 10278.

Dated: December 23, 1994.

Conrad S. Simon,

Acting Deputy Regional Administrator.

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OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

Small Disadvantaged and Women-Owned Businesses

AGENCY: Executive Office of the President, Office of Management and Budget (OMB), Office of Federal Procurement Policy (OFPP).

ACTION: OFPP is requesting comments on its plans to comply with the review requirements of small disadvantaged and women-owned businesses in accordance with the Federal Acquisition Streamlining Act of 1994.

BACKGROUND: The Federal Acquisition Streamlining Act of 1994, Public Law 103-355, provides, in section 7107, that the Administrator for Federal Procurement Policy shall conduct a comprehensive review of Federal laws, in effect on November 1, 1994, to identify and catalogue all of the provisions in such laws that define (or describe for definitional purposes) the following small business concerns: (1) Concerns owned and controlled by socially and economically disadvantaged individuals; (2) minority-owned concerns; (3) concerns owned and controlled by women; and, (4) woman-owned concerns. (In this notice, these 4 categories will also be referred to as disadvantaged and women-owned businesses.) The definitions of concern are those which authorize the participation of such small business concerns as prime contractors or subcontractors in (1) contracts awarded directly by the Federal Government or subcontracts awarded under such contracts, and (2) contracts and subcontracts funded, in whole or in part, by Federal financial assistance under grants, cooperative agreements, or other forms of Federal assistance.

In conducting this review, the Administrator shall provide for the participation in the review by representatives of (1) the Small Business Administration (SBA) (including the Office of the Chief Counsel for

Advocacy); (2) the Minority Business Development Agency (MBDA) of the Department of Commerce; (3) the Department of Transportation (DOT); (4) the Environmental Protection Agency (EPA); and (5) such other executive departments and agencies as the Administrator considers appropriate. The Administrator must also consult with representatives of organizations representing (1) minority-owned business enterprises; (2) women-owned business enterprises; and (3) other organizations that the Administrator considers appropriate.

On the basis of the results of the review, the Administrator is to develop (1) uniform definitions for disadvantaged and women-owned business concerns; (2) uniform agency certification standards and procedures for (A) determinations of whether a small business concern qualifies as a disadvantaged or women-owned business concern under an applicable standard for purposes of the types of contracts and subcontracts referred to above, and (B) reciprocal recognition by an agency of a decision of another agency regarding whether a small business concern qualifies as a disadvantaged or women-owned business concern; and (3) such other related recommendations as the Administrator determines appropriate, consistent with the review results.

Section 7107 requires the Administrator, not later than 60 days after the date of the enactment of the Act, to publish in the **Federal Register** a notice which (1) lists the provisions of law identified in the review carried out during the first 60 days; (2) describes the matters to be developed on the basis of the results of the review; (3) solicits public comment regarding the matters described in the notice for a period of not less than 60 days; and (4) addresses such other matters as the Administrator considers appropriate in order to ensure the comprehensiveness of the review.

Finally, section 7107 requires that not later than May 1, 1996, the Administrator for Federal Procurement Policy shall submit to the Committees on Small Business of the Senate and the House of Representatives a report on the results of the review. The report shall include a discussion of the results of the review, a description of the consultations conducted and public comments received, and the Administrator's recommendations.

PERFORMANCE OF REVIEW: In response to this direction, the Administrator for Federal Procurement Policy, through the Office of Federal Procurement Policy (OFPP), has conducted a review of the