

Federal Law or regulations, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction; (4) specifies the retroactive effect, if any; (5) adequately defines key terms; and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. The Administrator has completed the required review and determined that, to the extent permitted by law, today's action meets the relevant standards of Executive Order 12988.

Issued in Golden, Colorado, August 2, 1996.

J.M. Shafer,  
Administrator.

[FR Doc. 96-21151 Filed 8-19-96; 8:45 am]

BILLING CODE 6450-01-P

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5556-6]

### Environmental Laboratory Advisory Board; Meeting Date and Agenda

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Open Meeting.

**SUMMARY:** The Environmental Laboratory Advisory Board (ELAB) will convene an open meeting via teleconference on September 5, 1996, from 2:30 to 4:30 p.m. Eastern Standard Time (EST). Anyone wishing to attend may join Chair Ramona Trovato at USEPA Judiciary Square, 501 3rd Street, Washington DC 20024. The meeting location is the first floor conference room.

The agenda will focus on the options for proficiency testing (PT) samples, otherwise known as performance evaluation (PE) samples, cited in the Federal Register, Vol. 61, No. 139, Thursday, July 18, 1996. The following four categories with specific questions have been posed to ELAB by the Office of Water.

#### Program Costs

(1) What will be the initial (start-up) and continuing costs of the program to vendors and what are the principal cost elements (by study, i.e. WS, WP, DMRQA)?

(2) What costs will be incurred by vendors to establish and maintain accreditation?

(3) What is a reasonable price range for each of the studies?

(4) What will the impact of externalization be on "small" laboratories? What will the impact be on government (i.e. state and municipal) laboratories?

#### Time Line Considerations

(1) How much time will be required to implement an accreditation program for vendors; what are the principal implementation milestones; and what is the time requirement for each?

(2) One accreditation is granted, how much time will be needed for an individual vendor to issue its first study (by study, i.e. WS, WP, DMRQA)?

(3) How many studies per year can the average vendor conduct?

#### Technical Considerations

(1) What factors will affect study comparability and what steps can reasonably be taken to maximize study comparability nationwide?

(2) Will the industry be able to fund research and development of new studies/products? What role can/should EPA play in the process of developing new studies/study designs?

(3) Are there vendors who can do microbiology, radiation, and aquatic toxicology tests?

(4) If the Agency goes to the private sector will there be any "orphan" compounds and, if so, how should the Agency handle that situation?

#### Policy Consideration

(1) Who should bear the costs of "bad" studies? Are special provisions needed to protect laboratories from the consequences of participating in a study that is later found to be faulty? Will there be sufficient market-induced financial incentives created to address the problem (if so, what are those incentives)?

(2) What are the potential conflict of interest/confidentiality considerations and what steps can reasonably be taken to protect against them?

The public is welcome to attend. Time will be allotted for public comment. Written comments are encouraged and should be directed to Ms. Jeanne Mourrain; Designated Federal Official; USEPA; NERL (MD-75); Research Triangle Park, NC 27711. For more information on the specific questions posed by the Office of Water, please contact Ms. Wendy Blake-Coleman at 202/260-5680, fax 202/260-7023. If questions arise, please contact Ms. Mourrain at 919/541-1120, fax 919/

541-4101, or E-mail: "MOURRAIN.JEANNE@EPAMAIL.EPA.GOV".

Dated: August 12, 1996.

Mary Clark,  
Acting Director, Office of Radiation and Indoor Air.

[FR Doc. 96-21179 Filed 8-19-96; 8:45 am]

BILLING CODE 6560-50-P

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[FRL-5553-9]

## Council Environmental Statistics Subcommittee of the National Advisory Council for Policy and Technology—Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Environmental Statistics Subcommittee (of the Environmental Information, Economics and Technology Committee) of the National Advisory Council on Environmental Policy and Technology (NACEPT) will hold a one and one-half day meeting of the full Subcommittee.

The Environmental Statistics Subcommittee was formed to provide key recommendations and strategic advice on the statistical products and activities necessary to enhance the Agency's knowledge about environmental statistics and trends, and to explore information gaps from the perspective of the users/products of these data products. The meeting is being held to discuss and offer critical advice on initiatives of the Office of Strategic Planning and Environmental Data. Scheduling constraints preclude oral comments from the public during the meeting. Written comments can be submitted by the mail, and will be transmitted to Committee members for consideration.

**DATES:** The public meeting will be held on September 10, 1996 from 9:00 a.m. to 5:00 p.m. and September 11, 1996 from 9:00 a.m. to 1:00 p.m. This meeting is open to the public. Due to limited space, seating at the meeting will be on a first-come basis.

**ADDRESSES:** The meetings will be held at the Hall of States, 444 North Capitol Street, N.W., Room 283-285, Washington, D.C. 20011. The hall telephone number is (202) 624-5490. Written comments should be sent to: James Morant, Office of Strategic Planning and Environmental Data, U.S. Environmental Protection Agency, Mail Code 2161, 401 M Street, S.W., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** James Morant, Designated Federal Official, Direct Line (202) 260-2266, General Line (202) 260-4028, FAX (202) 260-4968.

Dated: August 12, 1996.

N. Phillip Ross,

*Acting Designated Federal Official.*

[FR Doc. 96-21175 Filed 8-19-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5553-2]

**Proposed Settlement Under Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of Automatic Industrial Plating, Inc., Schaumburg, Illinois**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Request for public comment.

**SUMMARY:** Notice of Settlement for Recovery of Past Costs: In accordance with Section 122(l)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), notice is hereby given of a proposed administrative settlement concerning the removal action at the Automatic Industrial Plating Superfund Site, Schaumburg, Illinois. U.S. EPA Region 5 has submitted the proposed agreement to the U.S. Department of Justice for review, and has obtained written approval for this settlement by the Attorney General of the United States.

**DATES:** Comments must be provided on or before September 19, 1996.

**ADDRESSES:** Comments should be addressed to Assistant Regional Counsel Barbara L. Wester, Mail Code CS-29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604, and should refer to: In the Matter of Automatic Industrial Plating, Inc., Docket No. V-W-96-C-350.

**FOR FURTHER INFORMATION CONTACT:** Barbara L. Wester, Mail Code CS-29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**SUPPLEMENTARY INFORMATION:** The following parties executed binding certifications of their consent to participate in the settlement: Wolfgang Damsch and Mary Damsch.

These parties together will make a lump-sum payment of \$3,000 for response costs related to the Automatic Industrial Plating, Inc. Site, subject to the contingency that U.S. EPA may elect not to complete the settlement based on

matters brought to its attention during the public comment period established by this Notice. One hundred percent of the settlement will reimburse U.S. EPA for its past costs at the Automatic Industrial Plating, Inc. Superfund Site.

U.S. EPA may enter into this settlement under the authority of Sections 107 and 122(h) of CERCLA. Section 122(h) authorizes settlements with potentially responsible parties for the recovery of past costs expended by the Agency where these claims have not been referred to the U.S. Department of Justice for further action. The proposed settlement reflects, and was agreed to based on, conditions as known to the parties as of June 24, 1996.

A copy of the proposed administrative order on consent and additional background information relating to the settlement are available for review and may be obtained in person or by mail from Barbara L. Wester, Mail Code CS-29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

The U.S. Environmental Protection Agency will receive written comments relating to this settlement for thirty days from the date of publication of this notice.

Authority: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Sections 9601 *et seq.*

Thomas W. Mateer,

*Acting Director, Waste Management Division.*

[FR Doc. 96-21176 Filed 8-19-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5556-9]

**Proposed Administrative Settlement Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Solid Waste Disposal Act; in Re: Raymark Industries, Inc. Superfund Site, Stratford, CT**

**AGENCY:** Environmental Protection Agency.

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

**SUMMARY:** The 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.*, and the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 *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 and RCRA of Leach Family Holdings, Inc. and certain successors in interest who may become parties to this agreement for injunctive relief or for costs incurred or to be incurred by EPA in conducting response actions at the Raymark Industries, Inc. Superfund Site in Stratford, CT. This notice also announces a public meeting regarding this agreement to be held at the Stratford Public Library in Stratford, CT on September 10, 1996, pursuant to the requirement of Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

**DATES:** Comments must be provided on or before September 19, 1996.

**ADDRESSES:** Comments should be addressed to the Docket Clerk, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Mailcode RCH, Boston, Massachusetts 02203, and should refer to: In re: Leach Family Holdings, Inc., U.S. EPA Docket No. CERCLA-I-96-1035.

**FOR FURTHER INFORMATION CONTACT:** Michael Hill, U.S. Environmental Protection Agency, J.F.K. Federal Building, Mailcode HBT, Boston, Massachusetts 02203, (617) 573-9653.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given of a proposed prospective purchaser agreement concerning the Raymark Industries, Inc. Superfund Site in Stratford, CT. The settlement was approved by EPA Region I on July 29, 1996, subject to review by the public pursuant to this Notice. Leach Family Holdings, Inc. (Leach), the prospective purchaser of the Raymark property, has executed a signature page, through its president, James H. Leach, committing it to participate in the settlement. Under the proposed settlement, Leach is required to pay to the Raymark Industries, Inc. Superfund Site Special Account and the State of Connecticut a minimum of \$500,000 after EPA completes construction of the protective cap over the site, to reimburse EPA for the costs it incurs to accommodate Leach's planned development activities at the site, to abide by institutional controls and to provide access to the property. In exchange, Leach is granted a covenant not to sue under CERCLA and RCRA and protection from contribution actions or claims under CERCLA with respect to the existing contamination at the site. EPA believes the settlement is fair and in the public interest.

The U.S. Department of Justice has approved this settlement. EPA will receive written comments relating to