

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]  
BILLING CODE 6560-50-P

[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]  
BILLING CODE 6560-50-M

[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