

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6466-3]

**Operating Industries, Inc. Landfill Superfund Site; Notice of Proposed CERCLA Administrative De Minimis Settlement****AGENCY:** Environmental Protection Agency.**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended ("CERCLA"), 42 U.S.C. 9622(i), the Environmental Protection Agency ("EPA") is hereby providing notice of a proposed administrative *de minimis* settlement concerning the Operating Industries, Inc. Landfill Superfund site in Monterey Park, California (the "OII Site"). Section 122(g) of CERCLA, 42 U.S.C. 9622(g), provides EPA with the authority to enter into administrative *de minimis* settlements. This settlement is intended to resolve the liabilities of 76 settling parties for the OII Site under CERCLA and section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973. The settlement will also resolve OII Site-related claims by California Department of Toxic Substances Control against the settling parties. The settling parties will pay a total of \$5,477,209 toward OII Site response costs.

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the settlement. In accordance with section 7003(d) of RCRA, 42 U.S.C. 6973(d), commenters may request an opportunity for a public meeting in the affected area. EPA will consider all comments it receives during this period, and may modify or withdraw its consent to the settlement if any comments disclose facts or considerations indicating that the settlement is inappropriate, improper, or inadequate.

**DATES:** Comments must be submitted on or before November 29, 1999.**ADDRESSES:** Comments and requests for a public meeting should be addressed to the Regional Hearing Clerk, U.S. EPA Region IX (ORC-1), 75 Hawthorne Street, San Francisco, CA 94105, and should refer to: Operating Industries, Inc. Landfill Superfund Site, Monterey Park, CA, U.S. EPA Docket No. 99-09. The proposed settlement and additional background information relating to the settlement are available for inspection, and EPA's response to any comments received will be available for inspection,

at the U. S. EPA Region IX Superfund Records Center, 95 Hawthorne Street, Suite 403 S, San Francisco, CA 94105; at the Bruggemeyer Memorial Library, 318 South Ramona Avenue, Monterey Park, CA 91754; the Montebello Regional Library, 1550 West Beverly Boulevard, Montebello, CA 90640; and the Chet Holifield Library, 1060 South Greenwood Avenue, Montebello, CA 90640. A copy of the proposed Administrative Order on Consent may be obtained from the Regional Hearing Clerk at the address provided above.

**FOR FURTHER INFORMATION CONTACT:** Arthur Haubenstock, Assistant Regional Counsel, U.S. EPA Region IX (ORC-3), 75 Hawthorne Street, San Francisco, CA 94105; E-Mail: haubenstock.arthur@epa.gov; Tel: (415) 744-1355.

Dated: October 19, 1999

**Nancy Lindsey,***Acting Director, Superfund Division, Region IX.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-6466-9]

**San Gabriel Valley Superfund Sites; Notice of Proposed Administrative Settlement****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice; request for public comment.

**SUMMARY:** In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9600 *et seq.*, notice is hereby given that on September 30, 1999, the United States Environmental Protection Agency ("EPA") and the United States Department of Justice ("DOJ") executed a proposed Prospective Purchaser Agreement pertaining to a property transaction within the San Gabriel Valley Superfund Sites. The proposed Prospective Purchaser Agreement would resolve certain potential claims of the United States under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and section 7003 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6973, against the Industry Urban Development Agency (the "Purchaser") and the City of Industry, California. The Purchaser plans to acquire a 17 acre parcel located within the Puente Valley

Operable Unit of the San Gabriel Valley Superfund Sites near Los Angeles, California for the purposes of developing and operating a solid waste transfer and recycling station. The proposed settlement requires the Purchaser to make a one-time payment of \$25,000, which would be used for response actions in the Puente Valley Operable Unit.

For thirty (30) calendar days following the date of publication of this document, EPA will receive written comments relating to this proposed settlement. If requested prior to the expiration of this public comment period, EPA will provide an opportunity for a public meeting in the affected area. EPA's response to any comments received will be available for public inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

**DATES:** Comments must be submitted on or before November 29, 1999.**Availability**

The proposed Prospective Purchaser Agreement and additional background documentation relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA, 94105. A copy of the proposed settlement may also be obtained from EPA at the address listed below. Comments should reference "Industry Urban-Development Agency Prospective Purchaser Agreement, Docket No. 99-11, San Gabriel Valley Superfund Sites" and should be directed to Brett Moffatt at the address below.

**FOR FURTHER INFORMATION CONTACT:** Brett Moffatt, Assistant Regional Counsel (ORC-3), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA, 94105; E-mail:

moffatt.brett@epamail.epa.gov; Phone:(415) 744-1374.

**Keith A. Takata,***Director, Superfund Division, Region IX.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[OPPTS-62162; FRL-6386-8]

**Asbestos-Containing Materials in Schools; State Request for Waiver from Requirements****AGENCY:** Environmental Protection Agency (EPA).