

ADMINISTRATIVE ORDER ON CONSENT DE MINIMIS SETTLEMENT—Continued
[EPA Docket No. CERCLA-8-2001-06]

Super Vacuum Manufacturing Company, Inc	8,214.10
Suss Pontiac GMC	8,103.84
TDY Industries, Inc	1,571.15
Teledyne Densco	
T.H. Pickens Technical Center	5,512.82
Team Chevrolet	8,820.52
Terracon, Inc	441.02
Empire Labs	
Tom's Body Shop, Inc	2,497.30
Turner Chevrolet	551.28
Weber Auto Body	1,929.49
Wells Fargo Bank, N.A. f/k/a First Interstate	3,440.00
Bank of Denver, N.A., as Trustee of the Robert A. Mitchem Testamentary Trust; and Wells Fargo Bank, N.A. f/k/a First Interstate Bank of Denver, N.A.	
Robert A. Mitchem Testamentary Trust	
Williams Chevrolet	6,692.56
Total Amount for Settling Respondents	\$640,379.10
Settling Federal Parties	
U.S. Army—Fitzsimmons Medical Center	\$ 8,881.15
U.S. EPA	13,528.45
U.S. Federal Highway Administration	5,882.18
U.S. Government Printing Office	25.00
Total Amount for Settling Federal Parties	\$28,316.78

By the terms of the proposed AOC for *de minimis* settlement, the settling parties will pay a combined total of \$668,695.88 to the Hazardous Substance Superfund. This payment represents approximately 9.9% of the \$6,748,001.01 in past and estimated future response costs (\$3,028,001.01 in past response costs incurred through September 30, 2000, plus \$3,720,000.00 for the estimated future work at the site). The money will be deposited into a special account which can be used to pay for future work at the Site. The settling parties manifested 121,978.059 gallons of hazardous substances to the Site. This amount represents approximately 7.81% of the 1,561,451.371 gallons of hazardous substances manifested to the Site by all generators, both *de minimis* and non-*de minimis*.

The amount that each individual PRP will pay, as shown above, was based upon the number of gallons of hazardous substances manifested to the Site. The total amount of settlement dollars owed by each party to the settlement was arrived at by adding their Base Amount to a Premium Amount. The cost per gallon of \$4.32 was derived by dividing the estimated clean-up cost at the time of calculation of \$6,748,001.01 by the 1,561,451.371 total gallons of hazardous substances manifested to the Site. The settling party's Base Amount was calculated by multiplying the cost per gallon by the number of gallons that party manifested to the Site. A fifty per cent (50%) premium on the estimated future response costs of \$3,720,000 was calculated into each settling parties' payment.

To be eligible for the *de minimis* settlement, each PRP must have submitted a response to EPA's Request for Information, and must have contributed no more than 1% of the total volume of hazardous substances manifested to the Site.

It is so Agreed:

Dated: May 17, 2001.

Carol Rushin,
Assistant Regional Administrator, Office of Enforcement, Compliance, and Environmental Justice, Region VIII.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6990-5]

Whalehead Beach Superfund Site; Notice of Proposed Settlement

AGENCY: Environmental Protection Agency.
ACTION: Notice of Proposed Settlement.

SUMMARY: The United States Environmental Protection Agency is proposing to enter into a settlement with the Atlantic Research Corporation for past response costs pursuant to Section 122(h)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9622(h)(1) concerning the Whalehead Beach Superfund Site located in Corolla, Currituck County, North Carolina. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or

considerations which indicate the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, U.S. EPA, Region 4 (WMD-PSB), 61 Forsyth Street SW., Atlanta, Georgia 30303, (404) 562-8887.

Written comments may be submitted to Ms. Batchelor within 30 calendar days of the date of this publication.

Dated: May 2, 2001.

James T. Miller,
Acting Chief, CERCLA Program Services Branch, Waste Management Division.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6985-5]

Proposed Modification to the NPDES General Permit for the Western Portion of the Outer Continental Shelf of the Gulf of Mexico (GMG290000)

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice of Proposed NPDES General Permit Reissuance.

SUMMARY: The Regional Administrator of Region 6 today proposes to modify the National Pollutant Discharge Elimination System (NPDES) general permit for the Western Portion of the Outer Continental Shelf of the Gulf of Mexico (No. GMG290000) for discharges from existing and new dischargers and New Sources in the Offshore Subcategory of the Oil and Gas Extraction Point Source Category as authorized by section 402 of the Clean