

settlement is inappropriate, improper, or inadequate.

A copy of the settlement document may be obtained by calling the Region IX Superfund Records Center at (415) 820-4700 and requesting a copy of the document.

**ADDRESSES:** Written comments should be addressed to Marie Rongone, U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street (mail code ORC-3), San Francisco, California 94105-3901, or may be faxed to her at (415) 947-3570 or sent by email to [Rongone.Marie@epa.gov](mailto:Rongone.Marie@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Additional information about the Proposed Administrative Order on Consent re 4057 and 4059 Goodwin Avenue, Los Angeles, California, may be obtained by calling Marie Rongone at (415) 972-3891 or Lisa Hanusiak at (415) 972-3152.

Dated: December 20, 2011.

**Kathleen Salyer,**

*Acting Director, Superfund Division, U.S. EPA Region IX.*

[FR Doc. 2011-33467 Filed 12-28-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9612-4]

### Notice of Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, As Amended by the Superfund Amendments and Reauthorization Act

**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 by the Superfund Amendments and Reauthorization Act ("CERCLA"), notice is hereby given that a proposed administrative cost recovery settlement concerning the Abbott Mine/Turkey Run Mine Superfund Site (Site) in Lake County, California was executed by the Agency on November 14, 2011. The proposed settlement resolves an EPA claim under Section 107 of CERCLA against Respondent, El Paso Merchant Energy—Petroleum Company. The proposed settlement was entered into under the authority granted EPA in Section 122(h) of CERCLA, and requires the Respondent to pay \$237,878.07 to the Hazardous Substances Superfund in

settlement of past costs. For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency's response to any comments received will be available for public inspection at: U.S. Environmental Protection Agency, Superfund Records Center, 95 Hawthorne Street, Suite 403S, San Francisco, CA 94105, Phone (415) 536-2000.

**DATES:** Comments must be submitted on or before January 30, 2012.

**ADDRESSES:** The proposed settlement as set forth in the Administrative Agreement for Recovery of Past Response Costs, Docket No. 2011-13 is available for public inspection at the U.S. Environmental Protection Agency at U.S. Environmental Protection Agency, Superfund Records Center, 95 Hawthorne Street, Suite 403S, San Francisco, CA 94105, Phone (415) 536-2000. A copy of the Administrative Settlement Agreement for Recovery of Past Costs may be obtained from the U.S. Environmental Protection Agency Region IX, Superfund Records Center at the above address. Comments regarding the proposed settlement should be addressed to Larry Bradfish at the address below, and should reference the Abbott Mine/Turkey Run Mine Site located in Lake County, California (EPA Docket No. 2011-13).

**FOR FURTHER INFORMATION CONTACT:** Larry Bradfish, Assistant Regional Counsel, Office of Regional Counsel (ORC-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Phone (415) 972-3934, E-Mail: [bradfish.larry@epa.gov](mailto:bradfish.larry@epa.gov).

Dated: December 7, 2011.

**Dustin Minor,**

*Acting Director, Superfund Division.*

[FR Doc. 2011-33454 Filed 12-28-11; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9614-3]

### Proposed Settlement Agreement, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed settlement agreement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), notice is hereby given of a proposed settlement agreement between Sierra Club and the

U.S. Environmental Protection Agency. On March 2, 2011, Sierra Club submitted to Lisa Jackson, Administrator, United States Environmental Protection Agency ("EPA") a Notice of intent to sue, pursuant to CAA section 304(b)(2), for alleged failure to make determinations of whether certain areas designated nonattainment for the 1997 8-hour ozone national ambient air quality standard ("8-Hour ozone standard") have attained that standard, pursuant to section 181(b)(2) of the CAA. Sierra Club's Notice alleged that EPA failed to perform nondiscretionary duties under the CAA as to whether seven 1997 8-hour ozone areas: (1) Boston-Lawrence-Worcester (Eastern Massachusetts), (2) Chicago-Gary-Lake County (Illinois portion), (3) New York-Northern New Jersey-Long Island (New York, New Jersey, and Connecticut portions), (4) Springfield (Western Massachusetts), (5) St. Louis (Illinois and Missouri portions), (6) Charlotte-Gastonia-Rock Hill (North Carolina and South Carolina portions), and (7) Boston-Manchester-Portsmouth (New Hampshire portion) attained the 1997 8-hour ozone standard by the applicable attainment date. The proposed settlement agreement includes the Parties' agreement that EPA has taken actions with respect to three of these areas—the Boston-Manchester-Portsmouth, Charlotte-Gastonia-Rock Hill, and Chicago-Gary-Lake County areas—that have rendered moot the allegations in Sierra Club's Notice related to these areas. The proposed settlement agreement establishes deadlines for EPA to make determinations for the remaining four areas: New York-Northern New Jersey-Long Island (NY, NJ, CT) Springfield (Western MA), Boston-Lawrence-Worcester (Eastern MA), and St. Louis (IL, MO).

**DATES:** Written comments on the proposed settlement agreement must be received by *January 30, 2012*.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2011-1021, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or