

Pacific Multiform; Pacific Northwest Bell/US West Communications, Inc.; Pacific Partitions; Pampco Construction/Constructors-Pacific Company; Payless Drugs/Pay N Save/Thrifty Payless, Inc.; Pepsi/Seven-Up Bottling/Glaser Beverage/Alpac Corporation; Peter Pan Seafoods, Inc.; Petschl's Meats; Pike Place Market Authority; Pirates Plunder/Great Western Pacific, Inc.; Plaza 600/The Vance Corporation; Providence Hospital; PSF Industries; Purdy Company; QFC/Quality Food Centers, Inc.; R. C. Hedreen Company; Recreational Equipment, Inc. (REI); Red Dot Corporation; Reynolds Aluminum Corp.; Richardson & Holland/Bunge Foods Corporation; Richmark Printing; Riches & Adams/Adams News Co., Inc.; Rubatino Refuse Removal, Inc.; SAFECO Insurance Company of America; Salmon Terminal/Olympic Steamship Co., Inc.; Sanitary Service Company, Inc./City of Bellingham; Scott Paper Company/Kimberly Clark Corporation; Scougal Rubber Corporation; Seaboard Lumber; Sealand Service Inc.; Seattle Central Community College; Seattle Community College District; Seattle District Corps of Engineers; Seattle First National Bank/Seafirst; Seattle Golf & Country Club; Seattle Iron & Metals Corporation; Seattle Post-Intelligencer; Seattle Seafood/Washington Fish & Oyster Company/Ocean Beauty Seafoods, Inc.; Seattle Times; Seattle Trade Center; Seattle University; Sellen Construction Co., Inc.; Skyway Luggage Company; Snohomish County PUD; South Seattle Community College; SQI Roofing/SQI, Inc.; Star Machinery Co.; State of Washington Military Department; Swedish Hospital/Doctors Hospital; Texaco Inc./Texaco Refining & Marketing, Inc.; Thurman Electric & Plumbing Supply; Tiz's Door Sales; Trident Imports; Tullus Gordon Construction/Gordon Tullus Construction; Turner & Pease; U.S. Coast Guard; U.S. Postal Service; United Parcel Service; V.A. Hospitals/U.S. Department of Veterans Affairs; Virginia Mason Hospital; W. G. Clark Construction Co.; W. W. Wells Millworks; Wall & Ceiling Supply; Washington Chain & Supply; Washington Natural Gas Company; Washington Plaza/Seattle Westin Hotel Company/Westin Hotel Company/Benjamin Franklin Hotel, Inc.; Washington State Ferry; Washington State Liquor Warehouse; Welco Lumber Co.; West Coast Construction; West Waterway Lumber; Western Gear/Bucyrus-Erie Company; Weyerhaeuser.

The EPA is entering into this agreement under the authority of sections 122(g), 106 and 107 of

CERCLA, 42 U.S.C. 9622(g), 9606 and 9607. Section 122(g) authorizes early settlements with *de minimis* parties to allow them to resolve their liabilities at Superfund sites without incurring substantial transaction costs. Under this authority, the agreement proposes to settle with parties in the Tulalip Landfill case who each are responsible for less than 0.6% of the volume of hazardous substances at the site.

In February and March 1988, EPA contractor Ecology & Environment, Inc. (E&E) performed a site inspection of the landfill for NPL evaluation. The inspection revealed groundwater contamination with unacceptably high levels of arsenic, barium, cadmium, chromium, lead, mercury, and silver. Water samples taken in the wetlands adjacent to the site showed exceedences of marine chronic criteria for cadmium, chromium, and lead as well as exceedences in marine acute criteria for copper, nickel and zinc. In addition, a variety of metals were found in on-site pools and leachate. The study concluded that contamination was migrating off site. On July 29, 1991, EPA proposed adding the Tulalip Landfill to the NPL, and on April 25, 1995, with the support of the Governor of the State of Washington and the Tulalip Tribes of Washington, EPA published the final rule adding the Site to the NPL.

EPA is currently performing a Remedial Investigation ("RI") and Feasibility Study ("FS") pursuant to an Administrative Order on Consent with several potentially responsible parties. The FS is being conducted in two parts. The first part, which has been completed, evaluates various containment alternatives for the landfill source area, which includes approximately 147 acres in which waste was deposited. The second part will evaluate the off-source areas, which includes the wetlands and tidal channels that surround the landfill source area. On March 1, 1996, EPA issued a Record of Decision that selected an interim remedial action for the source area. The selected interim remedy requires installation of an engineered, low permeability cover over the source area of the landfill, at an estimated cost of \$25.1 million. For purposes of this settlement, EPA estimates that the expected future response costs at the Site will be \$33,543,626, including EPA's oversight costs.

The proposed settlement requires each settling party to pay a fixed sum of money representing their volumetric share of EPA's past costs and the estimated costs of future response actions, plus a premium. The total

amount that may be recovered from the proposed settlement is \$8,130,610. Of the amount paid, \$270,905 will reimburse a share of response costs incurred by EPA at the Site, and \$7,859,705 will be deposited in the Tulalip Landfill Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance response actions at or in connection with the Site. Upon full payment, each settling party will receive a release from further civil or administrative liabilities for the Site and statutory contribution protection under Section 122(g)(5), 42 U.S.C. 9622(g)(5).

EPA will receive written comments relating to this proposed settlement for a period of thirty (30) days from the date of this publication.

The proposed agreement may be obtained from Cindy Colgate, Office of Environmental Cleanup (ECL-113), 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-1815. The Administrative Record for this settlement may be examined at the EPA's Region 10 office located at 1200 Sixth Avenue, Seattle, Washington 98101 by contacting Lynn M. Williams, Superfund Records Manager, Office of Environmental Cleanup (ECL-113), 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-2121.

Authority: The Comprehensive Environmental Response, Compensation and Liability Act, as amended, 41 U.S.C. Sections 9601-9675.

Jane S. Moore,

Acting Regional Administrator.

[FR Doc. 96-17325 Filed 7-8-96; 8:45 am]

BILLING CODE 6560-50-P

[FRL-5532-9]

Clean Water Act Section 303(d): Availability of List Submissions and Proposed Decisions

AGENCY: Environmental Protection Agency.

ACTION: Notice of Availability.

SUMMARY: This notice announces the availability of lists submitted to EPA by California and Hawaii pursuant to Clean Water Act Section 303(d)(2) as well as EPA's proposed decisions regarding these submissions, and requests public comment. Section 303(d)(2) requires that states submit and EPA approve or disapprove lists of waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards and for which total maximum daily loads (TMDLs) must be prepared.

On June 14, 1996, EPA partially approved California's submittal.

Specifically, EPA approved California's listing of waters except for waters listed in the Santa Ana Region of California. Today, EPA is proposing to:

(1) approve California's 303(d) submission of waters in the Santa Ana Region,

(2) disapprove California's decisions not to list Ten Mile River for sediment and Navarro River, which is already listed for sediment, for temperature,

(3) add the Ten Mile River for sediment and the Navarro River for temperature to California's 1996 303(d) list, and

(4) approve Hawaii's 303(d) submission.

EPA is providing the public the opportunity to review these proposed decisions as required by Public Participation regulations [40 CFR Part 25]. EPA will consider public comments in reaching its final decisions on California and Hawaii's final lists.

DATES: Comments must be submitted to EPA on or before August 8, 1996.

ADDRESSES: Comments on the proposed decisions should be sent to David Smith, TMDL Coordinator, Water Division, U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105, telephone (415) 744-2012, facsimile (415) 744-1078. Copies of the proposed decisions concerning California and Hawaii which explain the rationale for EPA's proposed decisions can be obtained by writing or calling Mr. Smith at the above address. Underlying documentation comprising the record for this decision is available for public inspection at the above address.

FOR FURTHER INFORMATION CONTACT: David Smith at (415) 744-2012.

SUPPLEMENTARY INFORMATION: Section 303(d) of the Clean Water Act (CWA) requires that each state identify those waters for which existing technology-based pollution controls are not stringent enough to attain or maintain state water quality standards. For those waters, states are required to establish TMDLs according to a priority ranking.

On January 11, 1985, EPA published the Water Quality Planning and Management regulations [50 FR 1775]. These regulations included requirements related to the implementation of Section 303(d) of the CWA [40 CFR 130.7]. The regulations did not specify dates for state compliance with the Section 303(d) requirements, but reiterated the statutory provisions calling for submissions from time to time. On July 24, 1992, EPA published a final rule [57 FR 143] that amended 40 CFR 130.7 to establish that, for the purposes of

identifying water quality-limited waters still requiring TMDLs, "from time to time" means once every two years. The list of waters still needing TMDLs must also include a priority ranking and must identify the waters targeted for TMDL development during the next two years [40 CFR 130.7].

Consistent with EPA's revised regulations, California submitted to EPA for its approval its listing decisions under Section 303(d)(2). EPA today proposes to:

(1) decline to make a final decision to approve the listings and priority rankings for the Santa Ana RWQCB (Region 8) because that Regional Board provided insufficient opportunity for public participation, and instead propose to approve the listings and priority rankings, with EPA's final decision to approve or disapprove to be issued after consideration of public comment, (2) propose disapproval of the State's decision not to list Ten Mile River for sediment and Navarro River for temperature, and (3) propose a final decision to add Ten Mile River for sediment and Navarro River for temperature to the State's 1996 list and establish appropriate priority rankings.

EPA solicits public comment on California's list of waters in the Santa Ana Region and EPA's proposed decision to approve these listings, EPA's proposed decision to disapprove California's decisions concerning Ten Mile River and Navarro River, and EPA's proposed decision to add the Ten Mile River for sediment and the Navarro River for temperature to California's final 1996 Section 303(d) list.

Hawaii also submitted to EPA for its approval its listing decisions under Section 303(d)(2). EPA today proposes to fully approve Hawaii's list of waters needing TMDLs, priority rankings, and list of waters targeted for TMDL development during the next two years. EPA solicits public comment on Hawaii's lists and EPA's proposed approval decision.

EPA notes that it does not normally solicit public comment on its decisions to approve state Section 303(d) lists. Pursuant to the public participation requirements of 40 CFR 25, EPA is providing this opportunity for public review and comment on its proposed approval decisions because California provided inadequate opportunity for public comment during development of its lists for the Santa Ana Region, and Hawaii provided no opportunity for public comment during the development of its lists. In the future, EPA expects that states will provide adequate opportunities for public

comment during development of the state lists.

Dated: June 14, 1996.

John Ong,

Acting Director, Water Management Division.

[FR Doc. 96-17321 Filed 7-8-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL LABOR RELATIONS AUTHORITY

Sunshine Act Meeting

TIME AND DATES: 2:00 p.m., Tuesday, July 16, 1996.

PLACE: Second Floor Agenda Room, 607 14th Street, N.W., Washington, D.C. 20424.

STATUS: Open. Attendance at the meeting will be limited because of space constraints. Persons interested in attending the meeting should notify the Office of Case Control. Telephone: FTS or Commercial (202) 482-6540.

MATTERS TO BE CONSIDERED: The Federal Labor Relations Authority is holding oral argument in *Social Security Administration, Baltimore, Maryland*, Case No. 3-CA-10859. The proceeding concerns the extent to which an agency is obligated to furnish facilities and services, under 5 U.S.C. § 7116(a)(1) and (3), to a labor organization that is seeking to represent the agency's employees.

FEDERAL REGISTER CITATION OF PREVIOUS

ANNOUNCEMENT: Notice of Oral Argument and Opportunity to Submit Amicus Curiae Briefs, 61 FR 25871, May 23, 1996.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., Wednesday, July 10, 1996.

CONTACT PERSON FOR MORE INFORMATION:

James H. Adams, Acting Director, Case Control Office, Federal Labor Relations Authority, 607 14th Street, N.W., Suite 415, Washington, D.C. 20424. Telephone: FTS or Commercial (202) 482-6540.

Dated: July 5, 1996.

For the FLRA.

James H. Adams,

Acting Director, Case Control Office.

[FR Doc. 96-17583 Filed 7-5-96; 1:18 pm]

BILLING CODE 6727-01-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

July 3, 1996.

TIME AND DATE: 10:00 a.m., Thursday, July 11, 1996.