

4. Virginia Scrap Iron and Metal Company, Inc.

These four parties collectively have agreed to pay \$10,341.37 to the Hazardous Substances Trust Fund subject to the contingency that EPA may elect not to complete the settlement if comments received from the public during this comment period disclose facts or considerations which indicate the proposed settlement is inappropriate, improper, or inadequate. Monies collected from the *de minimis* parties will be applied towards past response costs incurred at or in connection with the Site. Out of such amount \$937.90 will be paid directly to the Department of Interior for natural resources damages. The settlement includes a premium to cover the risk of cost overruns or increased costs to address conditions at the Site previously unknown to EPA but discovered after the effective date of the Consent Order. EPA is entering into this agreement under the authority of sections 107 and 122(g) of CERCLA, 42 U.S.C. 9607 and 9622(g). 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, EPA proposes to settle with potentially responsible parties in connection with the C&R Battery Company, Inc. Superfund Site, each of whom is responsible for less than one percent of the volume of hazardous substance disposed of at the Site. The grant of a covenant not to sue for natural resources damages by the Department of Interior to those parties paying their share of such allocated costs is subject to agreement in writing by the Department of Interior pursuant to section 122(j) of CERCLA, 42 U.S.C. 9622(j). EPA issued a draft settlement proposal to the *de minimis* parties on September 4, 1998 and invited comments and challenges to the volumetric ranking. By September 23, 1998 the *de minimis* parties submitted executed certifications to the draft settlement proposal and did not elect to comment on either the draft proposal or the volumetric ranking summary.

The Environmental Protection Agency will receive written comments relating to this Agreement for thirty (30) days from the date of publication of this Notice. A copy of the proposed Administrative Order on Consent can be obtained from the Environmental Protection Agency, Region III, Office of Regional Counsel, 1650 Arch Street, Philadelphia, Pennsylvania, 19103 by

contacting Yvette Hamilton-Taylor at (215) 814-2636.

W. Michael McCabe,
Regional Administrator, Region III.
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ENVIRONMENTAL PROTECTION AGENCY

[FRL-6227-1]

Notice of Proposed Administrative Cost Recovery Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability 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 ("CERCLA"), notice is hereby given of a proposed administrative cost recovery settlement under section 122(h)(1) of CERCLA concerning the Moschiano Plating Company, Inc., site at 2808-2824 West Lake Street, Chicago, Illinois ("Site"). The settlement resolves an EPA claim under section 107(a) of CERCLA against (1) the Estate of Frank B. Moschiano, (2) Josephine S. Moschiano, individually and as the Executor of the Estate of Frank B. Moschiano, and (3) the heirs, successors and assigns of the property in the Estate of Frank B. Moschiano. The settlement requires the settling parties to pay \$39,750 to the Hazardous Substances Superfund. The settlement also requires that the settling parties use their best efforts to sell the Site property and then pay to the Hazardous Substances Superfund the proceeds of that sale minus reasonable fees incurred to sell the Site. Additionally, in future the settling parties must notify EPA if certain events occur: (1) if the settling parties offer to sell, or accept an offer to sell, the Site property; (2) if the settling parties file an insurance claim or receive payment on an insurance claim related to the Site or Moschiano Plating Company, Inc.; and (3) if the settling parties receive payments on any accounts receivable for Moschiano Plating Company, Inc.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received

disclose facts or considerations which indicate that the settlement is inappropriate, improper, or inadequate. The Agency's response to any comments received will be available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois 60604.

DATES: Comments must be submitted on or before March 1, 1999.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection at the Superfund Records Center, located at 77 West Jackson Boulevard, Seventh Floor, Chicago, Illinois. A copy of the proposed settlement also may be obtained from the Superfund Records Center, located at the address above, or by contacting Jacqueline Kline at telephone number 312/886-7167. Comments should reference the Moschiano Plating Company, Inc., Site, Chicago, Illinois, and EPA Docket No. V-W-99-AO-10 and should be addressed to Jacqueline Kline, Associate Regional Counsel, 77 West Jackson Boulevard (C-14J), Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Jacqueline Kline, Associate Regional Counsel, at the address and telephone number listed above.

Dated: January 13, 1999.

James Mayka,

Acting Director, Superfund Division, Region 5.

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FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Approved by Office of Management and Budget

January 20, 1999.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collection pursuant to the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Questions concerning the OMB control numbers and