

Counsel, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551-7822.

Dated: October 18, 2001.

**James B. Gulliford,**

*Regional Administrator, Region VII.*

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-7]

### Proposed Past Cost Administrative Settlement Under Section 122(h)(1) of the Comprehensive Environmental Response Compensation and Liability Act; In the Matter of Westmoor Drive Site, Kokomo, IN

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

**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), notice is hereby given of a proposed administrative settlement for recovery of past response costs concerning the Westmoor Drive site in Kokomo, Indiana. The settlement requires Helen Schifferli ("Settling Party") to pay \$2,000.00 to the Hazardous Substance Superfund, which represents the amount of U.S. EPA's documented past costs Settling Party is able to pay.

Under the terms of the settlement, Settling Party agrees to pay the settlement amount. In exchange for Settling Party's payment, the United States covenants not to sue or take administrative action pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), relating to the Site. In addition, Ms. Schifferli is entitled to protection from contribution actions or claims as provided by sections 113(f)(2) and 122(h)(4) of CERCLA, 42 U.S.C. 9613(f)(2) and 9622(h)(4), for all response costs incurred and to be incurred by any person at the Site.

For thirty (30) days after 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 EPA's Region 5 Office at 77 West Jackson Boulevard, Chicago, Illinois 60604, and at the Kokomo Howard County Public Library in Kokomo, Indiana.

**DATES:** Comments must be submitted on or before December 7, 2001.

**ADDRESSES:** The proposed settlement is available for public inspection at EPA's Record Center, 7th floor, 77 W. Jackson Blvd., Chicago, Illinois 60604. A copy of the proposed settlement may be obtained from Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois, 60604, telephone (312) 886-2250. Comments should reference the Westmoor Drive Site, Kokomo, Indiana, and EPA Docket No. V-W-01-C-664, and should be addressed to Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Tamara Carnovsky, Assistant Regional Counsel, U.S. EPA, Mail Code C-14J, 77 W. Jackson Blvd., Chicago, Illinois 60604, telephone (312) 886-2250.

**Authority:** The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601, *et. seq.*

Dated: October 15, 2001.

**William E. Muno,**

*Director, Superfund Division, Region 5.*

[FR Doc. 01-27949 Filed 11-6-01; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7099-9]

### Notice of Proposed Agreement for Recovery of Past Response Costs Pursuant to Section 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Meramec Drum Site, Arnold, Missouri, Docket No. CERCLA 07-2001-0084

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

**ACTION:** Notice of Proposed Agreement for Recovery of Past Response Costs, Meramec Drum Site, Arnold, Missouri.

**SUMMARY:** Notice is hereby given of a proposed agreement for recovery of past response costs concerning the Meramec Drum Site, Arnold, Missouri, with the following parties: Meramec Marine Shipyard, Inc., Thomas E. Dlubac and Edward Theodore Dlubac (Settling Parties). This proposed settlement was

signed by the United States Environmental Protection Agency (EPA) on October 17, 2001.

**DATES:** EPA will receive written comments relating to the proposed agreement for recovery of past response costs by December 7, 2001.

**ADDRESSES:** Comments should be addressed to Cheryle Micinski, Associate Regional Counsel, United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101 and should refer to the Meramec Drum Site Proposed Agreement for Recovery of Past Response Costs, Docket No. CERCLA-07-2001-0084.

The proposed settlement may be examined or obtained in person or by mail from Kathy Robinson, Regional Hearing Clerk, at the office of the United States Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7567.

**SUPPLEMENTARY INFORMATION:** This Proposed Agreement concerns the Meramec Drum Site, located in Arnold, Missouri, and is made and entered into by EPA and the Meramec Marine Shipyard, Inc., Thomas E. Dlubac, and Edward Theodore Dlubac (Settling Parties).

In response to the release of hazardous substances at or from the Site, EPA undertook response actions at the Site pursuant to section 104 of CERCLA, 42 U.S.C. 9604. In addition, EPA provided oversight of response actions undertaken by the Settling Parties. In performing this response action, EPA incurred response costs at or in connection with the Site.

Pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), the Settling Parties are responsible parties and are jointly and severally liable for response costs incurred at or in connection with the Site. The Regional Administrator EPA, Region VII, or his designee, has determined that the total past and projected response costs of the United States at or in connection with the Site will not exceed \$500,000, excluding interest.

This Agreement requires the Settling Parties to pay to the EPA Hazardous Substance Superfund the principal sum of \$50,812 in reimbursement of Past Response Costs, plus an additional sum for interest and will resolve the Settling Parties' alleged civil liability for these costs. The proposed Agreement also includes a covenant not to sue the Settling Parties pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a).