

Site, East Whiteland and Charlestown Townships, Chester County, Pennsylvania.

**DATES:** Comments must be provided on or before February 25, 2005.

**ADDRESSES:** Comments should be addressed to Lydia Guy, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, and should refer to the Malvern TCE Superfund Site, East Whiteland Township, Chester County, Pennsylvania.

**FOR FURTHER INFORMATION CONTACT:** Joan A. Johnson (3RC41), (215) 814-2619, U.S. Environmental Protection Agency, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.

**SUPPLEMENTARY INFORMATION:** Notice of *de minimis* settlement: In accordance with section 122(i)(1) of CERCLA, 42 U.S.C. 9622(i)(1), notice is hereby given of a proposed administrative settlement concerning the Malvern TCE Superfund Site, in East Whiteland and Charlestown Townships, Chester County, Pennsylvania. The administrative settlement is subject to review by the public pursuant to this Notice. The proposed agreement has been reviewed and approved by the United States Department of Justice.

The Settling Party has agreed to pay \$38,854.00 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. This amount to be paid by the Settling Party was based upon EPA's determination of Settling Party's fair share of liability of Settling Party relating to the Site. Monies collected from the Settling Party will be applied towards past and future response costs incurred at or in connection with the site. The settlement includes a premium payment equal to either 125% of the estimated future response costs incurred in connection with the Site. The settlement also includes a reservation of rights by EPA, pursuant to which EPA reserves its rights to seek recovery from the Settling Party of response costs incurred by EPA in connection with the site to the extent such costs exceed \$31.2 million.

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 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 Settling Party in connection with the Site, based upon a determination that Settling Party is responsible for 0.75 percent or less of the volume of hazardous substance sent to the Site. As part of this *de minimis* settlement, EPA will provide to the Settling Party a covenant not to sue or take administrative action against the Settling Party for reimbursement of response costs or injunctive relief pursuant to sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, or for injunctive relief pursuant to section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973, with regard to the Site.

The Environmental Protection Agency will receive written comments relating to this settlement for thirty (30) days from the date of publication of this notice. 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. Commenters may request an opportunity for a public meeting in the affected area in accordance with section 7003(d) of RCRA, 42 U.S.C. 6973(d). A copy of the proposed Administrative Order on Consent can be obtained from Joan A. Johnson, U.S. Environmental Protection Agency, Region III, Office of Regional Counsel, 1650 Arch Street, Philadelphia, Pennsylvania, 19103-2029, or by contacting Joan A. Johnson at (215) 814-2619.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

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**BILLING CODE 6560-50-M**

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## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collections Approved by Office of Management and Budget

January 14, 2005.

**SUMMARY:** The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number.

### FOR FURTHER INFORMATION CONTACT:

Jeannie A. Benfaida, Federal Communications Commission, 445 12th Street, SW, Washington DC, 20554, (202) 418-2313 or via the Internet at [jeannie.benfaida@fcc.gov](mailto:jeannie.benfaida@fcc.gov).

### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-1004.

*OMB Approval Date:* 01/30/2004.

*Expiration Date:* 01/31/2007.

*Title:* Wireless Telecommunications Bureau Standardizes Carrier Reporting on Wireless E911 Implementation.

*Form No.:* N/A.

*Estimated Annual Burden:* 1232 responses; 1362 total annual burden hours; 5 hours average per respondent.

*Needs and Uses:* Nationwide wireless carriers (Tier I) and mid-sized wireless carriers (Tier II) generally must file quarterly reports with the Commission on February 1, May 1, August 1 and November 1 of each year. Both Tier I and Tier II carriers must include with their quarterly reports an Excel spreadsheet detailing certain elements related to their E911 implementation status at Public Service Answering Points (PSAPs). Information reported on the spreadsheet as an appendix to the broader narrative set forth in the text of a carrier's the report, includes PSAP ID, PSAP Name, PSAP State, PSAP County; Implementation Phase; Air Interface; Date PSAP Request Made; Date PSAP Request Withdrawn; Invalid Request; Deployed; Date Deployed; Date Projected; Reasons; and Comment. Submission of the Excel spreadsheet will permit the Commission to track wireless E911 deployment, alert the Commission to any anticipated problems that could delay the implementation of E911 service nationwide, permit the Commission to track wireless E911 deployment in a more uniform and consistent manner, as well as inform and assist stakeholders in coordinating their deployment efforts.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**

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## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may obtain copies of agreements by contacting the Commission's Office of Agreements at (202) 523-5793 or via email at [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov). Interested