

(202) 566-1744, and the telephone number for the ORD Docket is (202) 566-1752.

2. *Electronic Access.* You may access this **Federal Register** document electronically through the EPA Internet under the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EDOCKET. You may use EDOCKET at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket identification number.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, confidential business information (CBI), or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the Docket will be scanned and placed in EPA's electronic public docket.

#### *B. How and To Whom Do I Submit Comments?*

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket identification number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period.

1. *Electronically.* If you submit an electronic comment as prescribed below, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any

cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EDOCKET.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EDOCKET at <http://www.epa.gov/edocket>, and follow the online instructions for submitting comments. To access EPA's electronic public docket from the EPA Internet Home Page, <http://www.epa.gov>, select "Information Sources," "Dockets," and "EDOCKET." Once in the system, select "search," and then key in Docket ID No. ORD-2005-0024. The system is an anonymous access system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by electronic mail (e-mail) to [ORD.Docket@epa.gov](mailto:ORD.Docket@epa.gov), Attention Docket ID No. ORD-2005-0024. In contrast to EPA's electronic public docket, EPA's e-mail system is not an anonymous access system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.B.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By Mail.* Send your comments to: U.S. Environmental Protection Agency, ORD Docket, EPA Docket Center (EPA/DC), Mailcode: 28221T, 1200 Pennsylvania Ave., NW., Washington,

DC, 20460, Attention Docket ID No. ORD-2005-0024.

#### 3. *By Hand Delivery or Courier.*

Deliver your comments to: EPA Docket Center (EPA/DC), Room B102, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC, Attention Docket ID No. ORD-2005-0024 (note: this is not a mailing address). Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.A.1.

Dated: August 17, 2005.

**Kevin Y. Teichman,**

*Director, Office of Science Policy.*

[FR Doc. 05-16687 Filed 8-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-7957-4]

### **Proposed CERCLA Administrative Agreement for Recovery of Past Response Costs; A-American Environmental Superfund Removal Site**

**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 by the Superfund Amendments and Reauthorization Act ("CERCLA"), 42 U.S.C. 9622(i), notice is hereby given of a proposed Administrative Order on Consent ("AOC," Region 9 Docket No. 9-2005-0014) pursuant to section 122(h) of CERCLA concerning the A-American Environmental Removal Site (the "Site"), located in Alhambra, California. The respondents to the AOC are thirty-one among approximately 600 parties that arranged for the disposal of hazardous substances at the Site, for which EPA incurred response costs. The respondents are: United States Department of Veterans Affairs; Alger Manufacturing Company, Inc.; American Fabrication Corp.; City of Los Angeles, Dept. of Public Works; County of Los Angeles; Duthie Electric; Epmar Corporation; EZ Lube, Inc.; FedEx Ground Package System, Inc.; Flint Ink North America Corporation; Forrest Machining, Inc.; Graphic Center; Gruber Systems, Inc.; Haskel International Inc.; Jacuzzi Whirlpool Bath, Inc.; Los Angeles Chemical Co.; Los Angeles County Metropolitan Transportation Authority; M C Gill Corp.; NeoMPS,

Inc.; Opi Products Inc.; Remo, Inc.; Santa Catalina Island Company; Sundance Spas, Inc.; Ultra-Flex Moulding Inc.; Vista Paint Corp.; California Acrylic Inc.; Sterigenics EO, Inc.; Mansfield Plumbing Products, LLC; Semtech Corp.; State of California, Office of State Publishing; and State of California, Dept. of Transportation.

Through the proposed AOC, these settling parties will reimburse the United States \$259,472 of its response costs, which total \$683,755. The AOC provides the settling parties with a covenant not to sue and contribution protection for the costs and the removal action at the Site. The AOC will supplement EPA's previous cost recovery settlement, EPA Docket No. 9-2004-0014.

For thirty (30) day following the date of publication of this Notice, the Agency will receive written comments relating to the proposed AOC. The Agency's response to any comments will be available for public inspection at EPA'S Region IX offices, located at 75 Hawthorne Street, San Francisco, California 94105.

**DATES:** Comments must be submitted on or before September 22, 2005.

**ADDRESSES:** The proposed Agreement may be obtained from Judith Winchell, Docket Clerk, telephone (415) 972-3124. Comments regarding the proposed Agreement should be addressed to Judith Winchell (SFD-7) at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105, and should reference the A-American Environmental Superfund Removal Site, Alhambra, California, and USEPA Docket No. 9-2005-0014.

**FOR FURTHER INFORMATION CONTACT:** J. Andrew Helmlinger, Office of Regional Counsel, telephone (415) 972-3904, USEPA Region IX, 75 Hawthorne Street, San Francisco, California 94105.

Dated: August 12, 2005.

**Keith A. Takata,**

*Director, Superfund Division.*

[FR Doc. 05-16684 Filed 8-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7957-9]

### Notice of Proposed Agreement Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as Amended by the Superfund Amendments and Reauthorization Act (CERCLA), and the Resource Conservation and Recovery Act (RCRA), Garvey Elevator Site, Hastings, NE

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

**ACTION:** Notice of proposed agreement for the Garvey Elevator Site.

**SUMMARY:** In accordance with section 122(i)(1) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (CERCLA), 42 U.S.C. 9622(i)(1), and section 7003(d) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 9673(d), notice is hereby given of a proposed agreement concerning the Garvey Elevator Site (Site) located in Hastings, Nebraska, with AGP Grain Marketing, LLC (AGP) and Garvey Elevators, Inc. (Garvey). The agreement was executed by the United States Environmental Protection Agency on July 11, 2005, and concurred upon by the United States Department of Justice on August 8, 2005. The agreement would resolve certain potential CERCLA and RCRA claims against AGP Grain Marketing, LLC, and is subject to final approval after the comment period.

The Site is an active grain elevator facility. The proposed agreement requires AGP Grain Marketing, LLC to pay \$2,050,000.00 into an escrow account following the sale of the Site property to AGP to be used by Garvey to implement response actions at the Site. In addition, AGP will be required to provide access to the Site, refrain from any activity that would interfere with the response actions or exacerbate the existing contamination at the Site, and comply with certain use restrictions. Appendix A to the Agreement is the Escrow Agreement that details the process for EPA to approve disbursements from the Escrow Fund. The Escrow Agreement also provides for a Security Agreement to be executed by Garvey and EPA. The proposed agreement grants AGP a covenant not to sue pursuant to sections 106 and 107(a) of CERCLA, 42 U.S.C. 9606 and 9607(a), subject to certain EPA reservations of rights.

This notice is also given in accordance with section 7003(d) of

RCRA. The proposed agreement also includes an EPA covenant not to sue AGP pursuant to section 7003 of RCRA, 42 U.S.C. 9673. 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. 9673(d).

For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the proposed agreement. EPA will consider all comments received, and may withdraw or withhold its consent to the proposed agreement if such comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper or inadequate. EPA's response to any written comments received will be available for public inspection at the U.S. Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, KS 66101, and at a local information repository near the Site.

**DATES:** Comments must be submitted on or before September 22, 2005.

**ADDRESSES:** The proposed agreement is available for public inspection at the U.S. Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101. A copy of the proposed agreement may be obtained from Alyse Stoy, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101, (913) 551-7826. Comments should be addressed to Alyse Stoy at the above address or by e-mail at [stoy.alyse@epa.gov](mailto:stoy.alyse@epa.gov), and should reference the Garvey Elevator Site Agreement, Hastings, Nebraska, and U.S. EPA Region VII Docket No. CERCLA-07-2005-0268.

**FOR FURTHER INFORMATION CONTACT:** Alyse Stoy, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region VII, 901 N. 5th Street, Kansas City, Kansas 66101, (913) 551-7826, or by e-mail at [stoy.alyse@epa.gov](mailto:stoy.alyse@epa.gov).

Dated: August 10, 2005.

**William Rice,**

*Acting Regional Administrator, Region VII.*

[FR Doc. 05-16690 Filed 8-22-05; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

[MD Docket No. 05-59; DA 05-2087]

### Assessment and Collection of Regulatory Fees for Fiscal Year 2005

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.